

Attachment A

Historical Commission Staff Reports

- 1. January 9, 2006**
- 2. February 6, 2006**

City of Loma Linda

COMMUNITY DEVELOPMENT DEPARTMENT

Memorandum

TO: Historical Commission

FROM: Deborah Woldruff, AICP, Director
Community Development Department

DATE: January 9, 2006

SUBJECT: Conditional Use Permit (CUP) No. 05-06

SUMMARY OF REQUEST/PROJECT DESCRIPTION

On November 14, 2005 Alex Cuevas, representing property owner Ahd Haddad, submitted a proposal to develop a new ARCO gasoline station with a 10-fuel dispenser canopy (152' x 41') and three underground fuel tanks. A 3,600 square-foot AM/PM convenience store is also being proposed along with a 980 square-foot self-service car wash, 3,000 square-foot fast food restaurant with drive-thru, and two separate retail store buildings (4,480 square feet and 6,900 square feet). The project is located at the northeast corner of Barton Road and California Street. A Conditional Use Permit is required for the proposed drive-thru element. A site plan is attached for your reference (Attachment A).

The project is located in the Historic Mission Overlay District and is subject to the requirements of Loma Linda Municipal Code (LLMC) Chapters 17.80 and 17.82 pertaining to the preservation and new development in this area. For the same reasons, a Certificate of Appropriateness for the proposed development is required. The recommendations of the Historical Commission will be forwarded to the Planning Commission and City Council.

According to the 1988 Windshield Survey and Preliminary Architectural/Historical Inventory prepared by Roger Hatheway, no previous structures on the site were identified as having historical significance, although the project site is within 1.75 miles east of 25156 Barton Road and .5 miles south of 10684 California Street, which are identified in the report and indicate as resources of local interest.

HISTORICAL PRESERVATION ISSUES

On December 22, 2005, Ms. Robin Laska with the Archeological Information Center at the San Bernardino County Museum conducted a Historical Resources Review and found historically significant resources to exist within or adjacent to the project area as shown on historic maps. The identified prehistoric and historic resources consisted of a campsite to the north, structural site to the north, Sonora Road passing through the property, oil tanks and structures, a segment of the Southern Pacific Railroad, other historic structures and the community of Bryn Mawr. Based on these findings Ms. Laska recommends that the applicant submit a documented, archaeological survey by a qualified archaeologist to inventory and evaluate all possible resources and, if necessary, propose appropriate mitigation.

As part of the application submittal requirement, the applicant submitted a Cultural Resources Report on November 14, 2005 that complies with the recommendation of Ms. Laska's report. An intensive, on-foot field survey of the project area was carried out on September 12, 2005 under the direction of CRM TECH. The survey results state that the buildings and/or structures that were previously removed have no historic significance to the area although they have been identified as being built prior to 1939 and related to the citrus-growing operations. CRM TECH contends the removal of the structures had effectively severed the potential association with any persons or events in their past through the total loss of historic integrity.

Further research of City records indicates that on December 9, 2004 a demolition permit was issued for removal of the structures on the project site due to general dilapidation, potential fire hazards, and overall public health and safety concerns. At that time, a permit was issued to remove the dangerous structures, flammable liquids, fuel tanks, and conduct a soil test on the site on January 13, 2005.

LLMC Chapter 17.82, Section 10, (Item 2. Architectural Styles) requires that all new development within the Mission Overlay District be designed using historical architectural styles, as listed in the ordinance. Therefore, the City recognizes the project site as having some historic significance due to the structural relevance of the site as it relates to the surrounding citrus industry. As such, the project will need to provide some architectural design and/or theme to meet the requirements of the ordinance and to ensure compatibility with the district.

Section 17.80.090 stipulates that all permits for alteration, restoration, rehabilitation, addition, change of use, demolition removal or relocation of designated cultural resources and properties located in historic districts shall require a Certificate of appropriateness from the City Council. The Historical Commission shall recommend approval or denial of the Certificate to the City Council based on the findings, as follows:

1. *With regards to a designated resource, the proposed work will neither adversely affect the significant architectural features of the designated resource nor adversely affect the character of the historical, architectural, or aesthetic interest of value of the designated resource and its site;*

The property north of the project is the symbolic site of the historic Zanja Trail and the only known cultural resource to currently exist on the site. The development plan will include areas that are consistent with the ongoing preservation efforts. This includes landscaping and paving the contours of the adjacent trail and the appropriate identification of the historic locale. Similarly the architectural styles are required to be consistent with the surrounding district.

2. *With regard to any property located within a historic district, the proposed work conforms to the prescriptive standards and design guidelines for the district adopted by the commission, and does not adversely affect the character of the district;*

The project and site design currently do not meet all of the requirements of LLMC Chapter 17.82.090, Design Criteria and Development Standards of New Development. The project will need to modify the current proposal to incorporate an architectural style reflective of the district requirements.

3. *In the case of construction of a new improvement, addition, building or structure upon a designated cultural resource site, the use and exterior of such improvements will not adversely affect and will be compatible with the use and exterior of existing designated cultural resources, improvements, buildings, natural features, and structures on the site; and,*

With modifications of the architectural elements, the site and building design will enhance the surrounding area and not adversely affect any designated cultural resources. The Zanja Trail has been identified, as being located on the northern boundary of the project site and therefore, the proposed project must incorporate mitigation measures to highlight the historic significance of the Zanja.

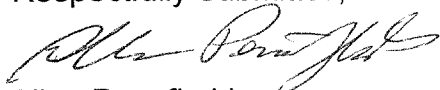
4. *That strict application of standards does not create an economic hardship based on testimony and evidence supplied by the applicant whereby it is judged by the commission and city council that strict application of the guidelines would deprive the owner of the property of all reasonable use of or economic return on, the property.*

The applicant has not indicated that the strict application of the standards outlined in LLMC Chapters 17.80 and 17.82 would create an economic hardship and deprive him of all reasonable use of or economic return on the property.

RECOMMENDATION

Staff recommends that the project be continued to allow the applicant to make the appropriate modifications to the building and site design for compliance with the Mission Historic Overlay District.

Respectfully Submitted,



Allan Penaflorida
Planning Commission

Attachments:

- A. Site Plan
- B. Photos of subject property

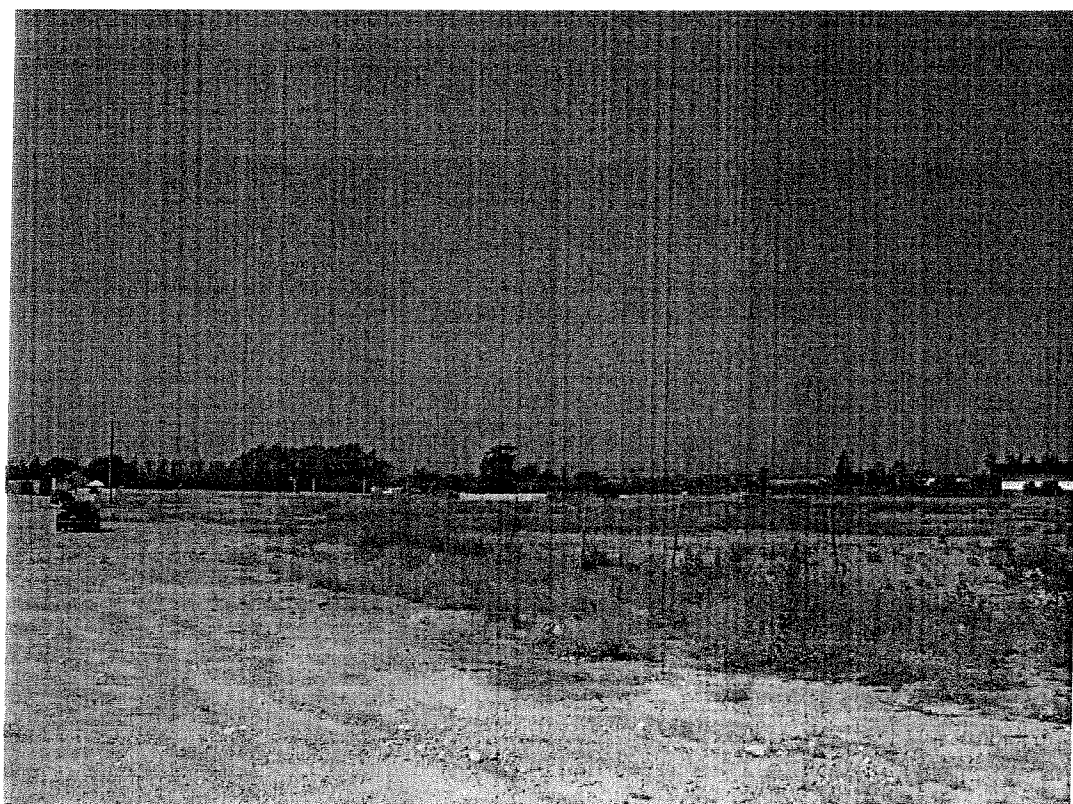
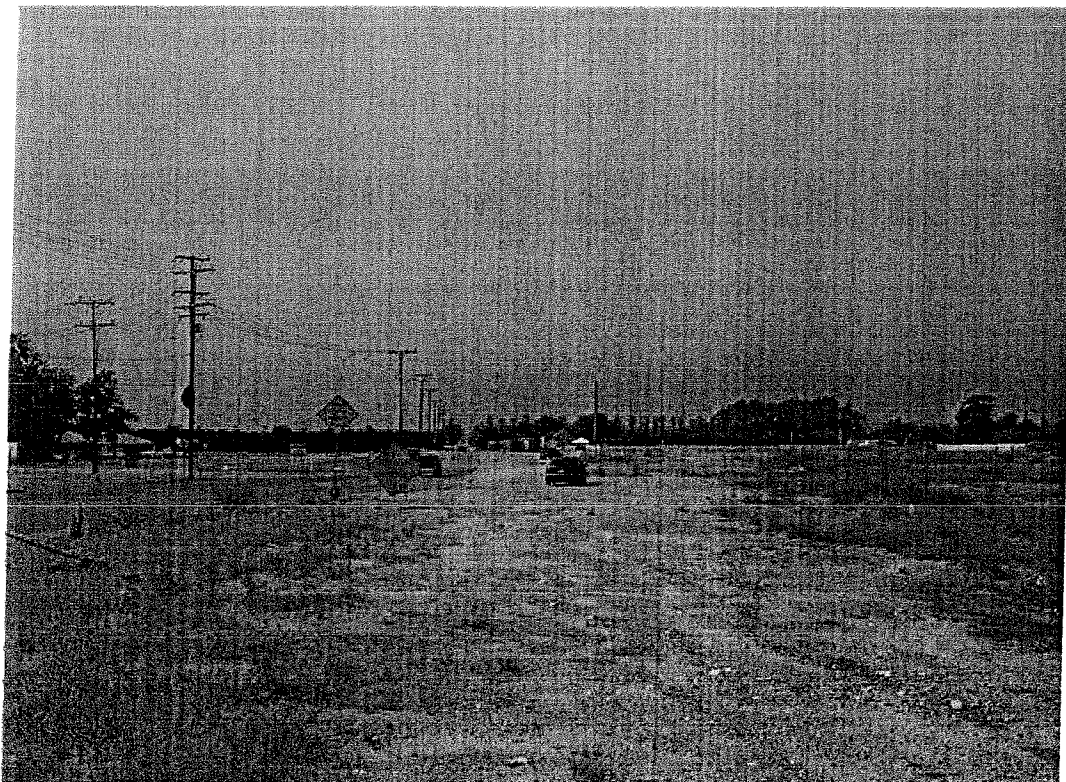
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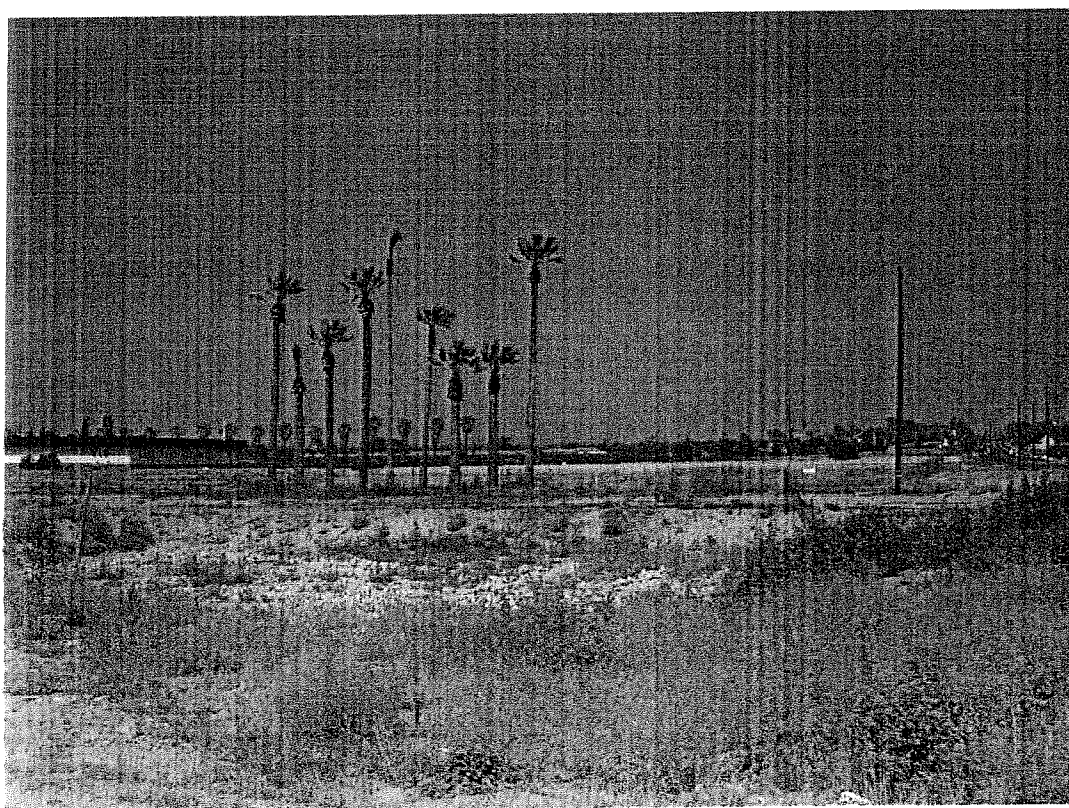
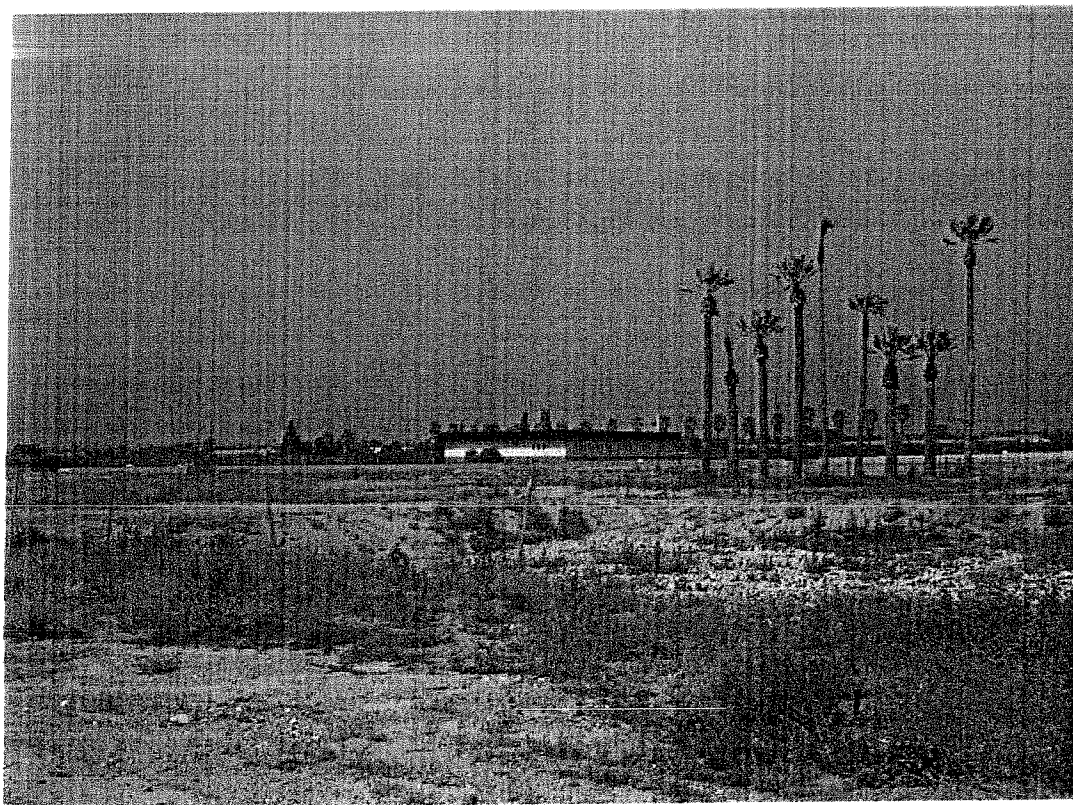
Attachment A

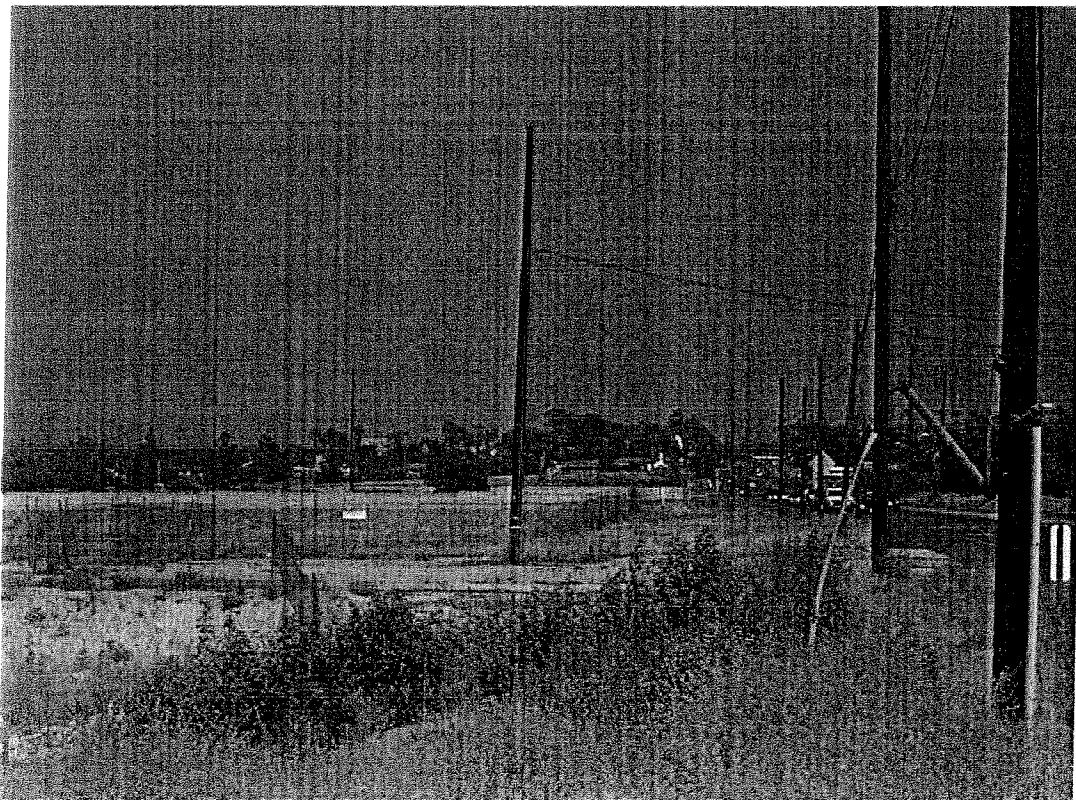
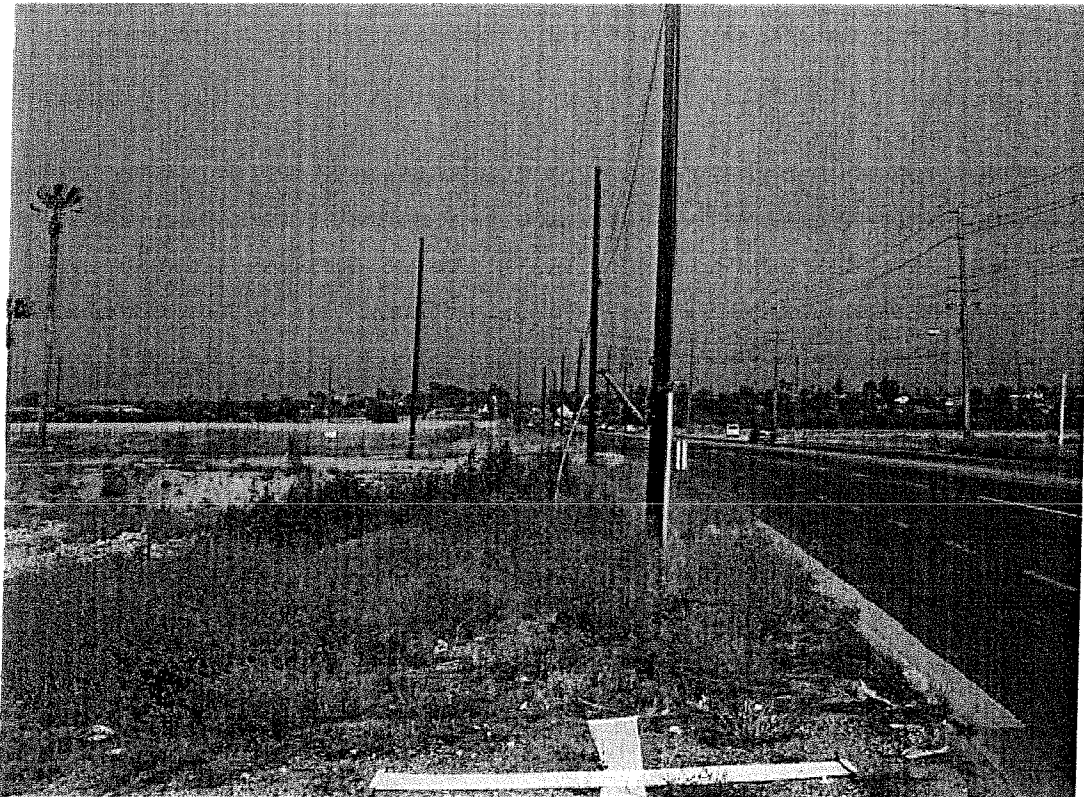
Site Plan

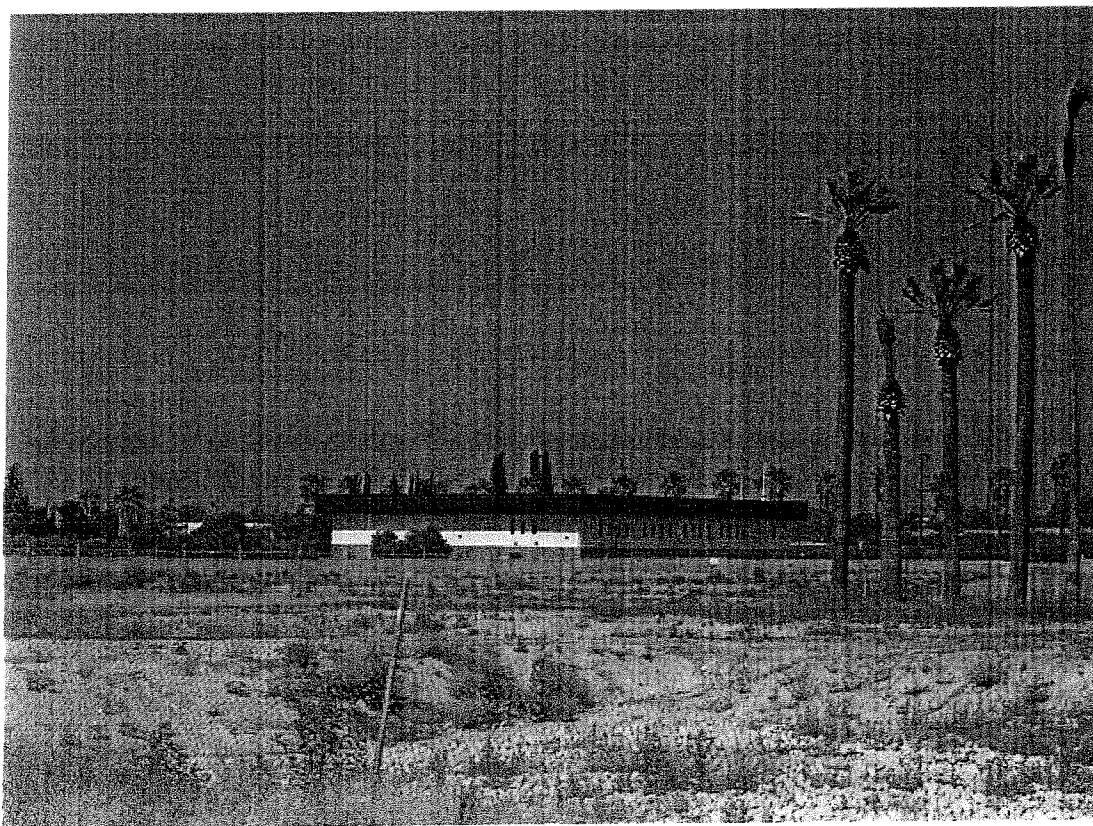
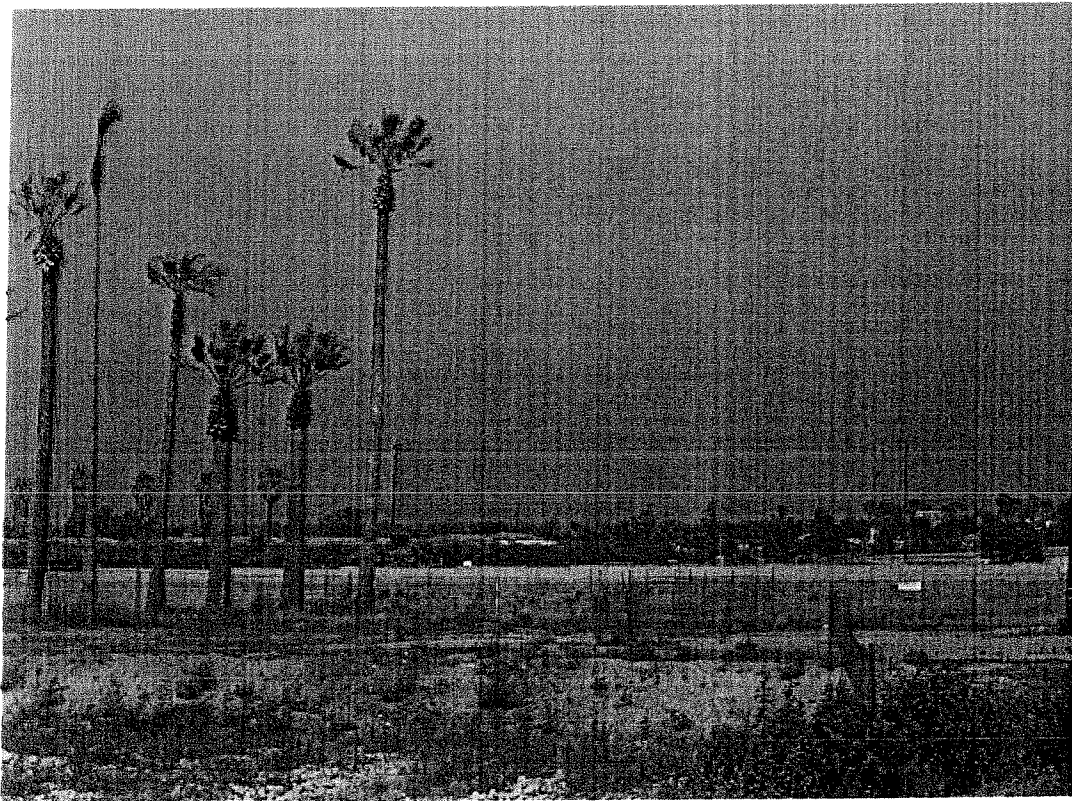
Attachment B

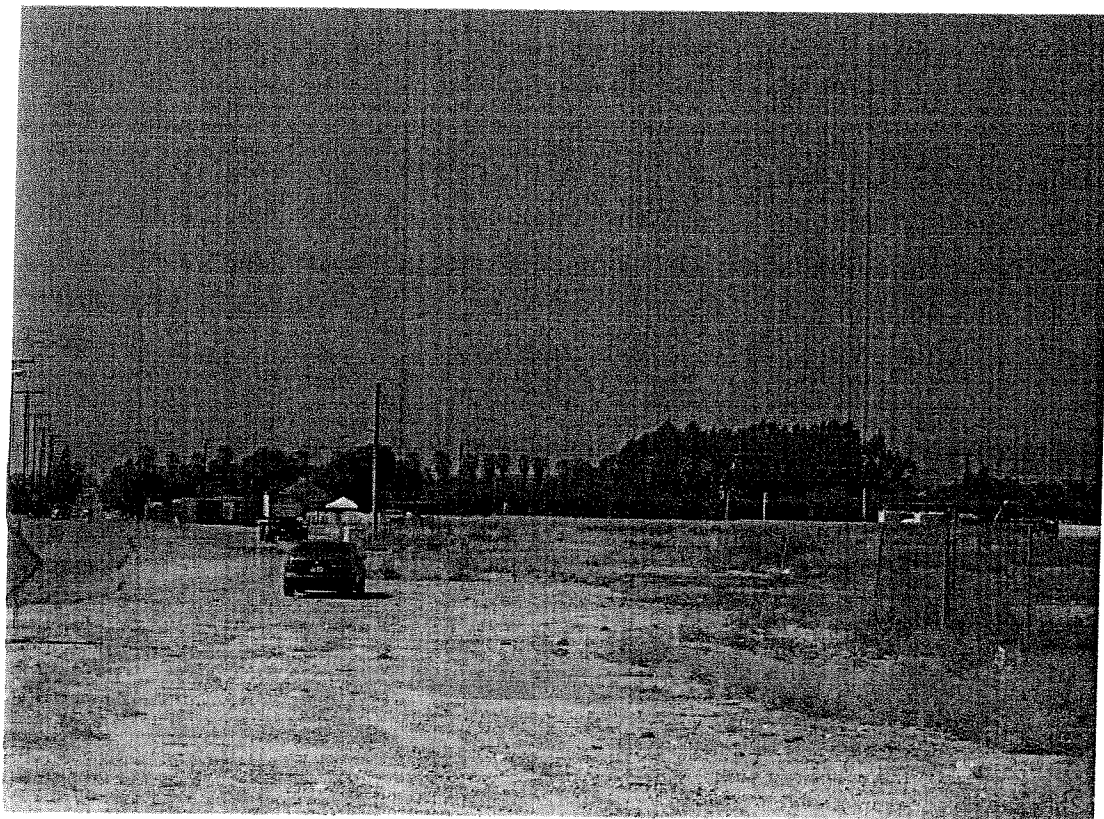
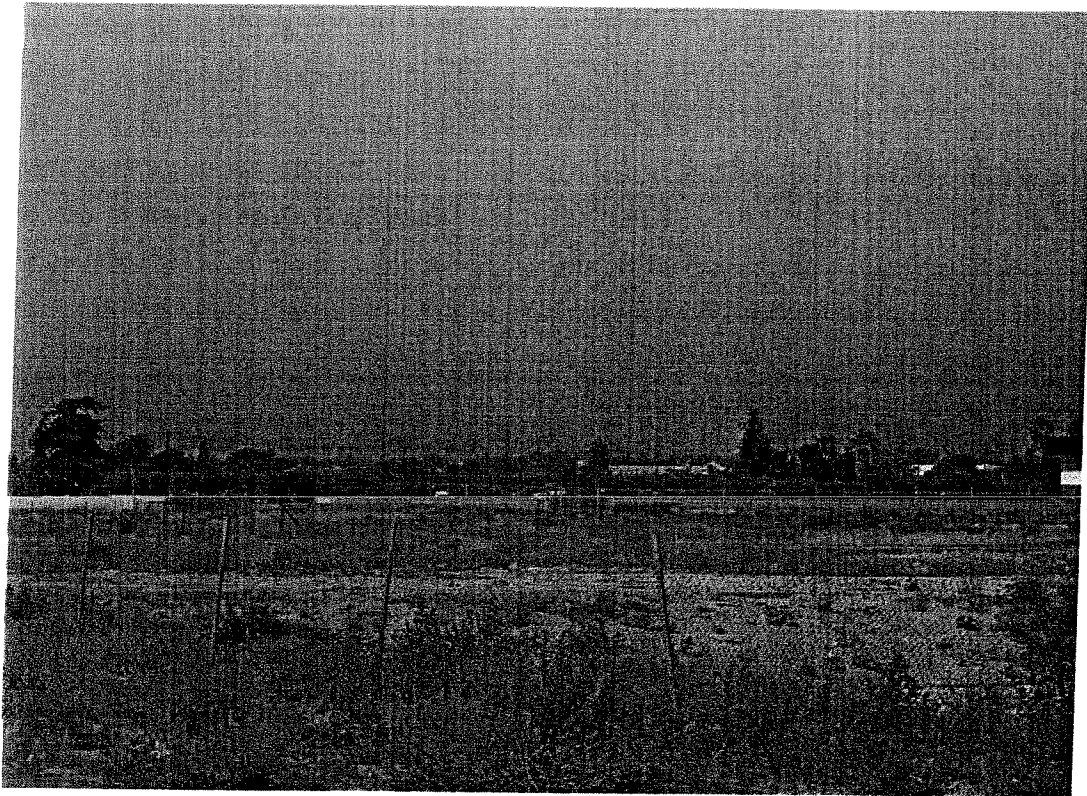
Photos of subject property

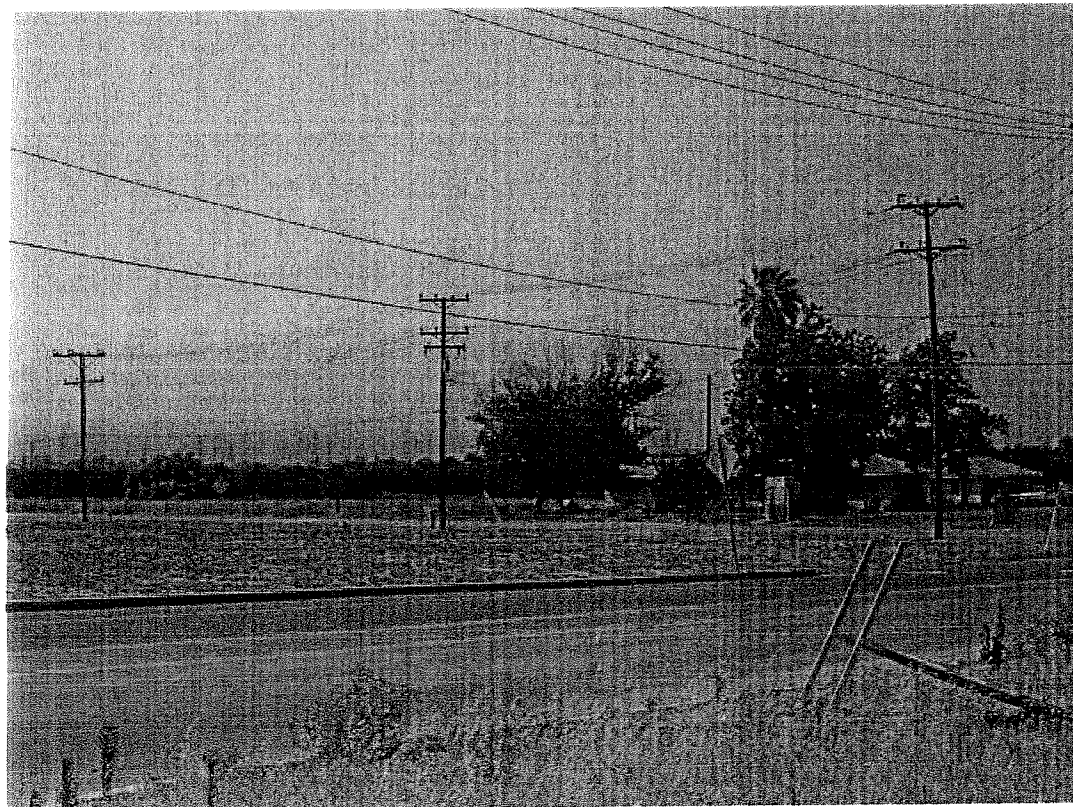
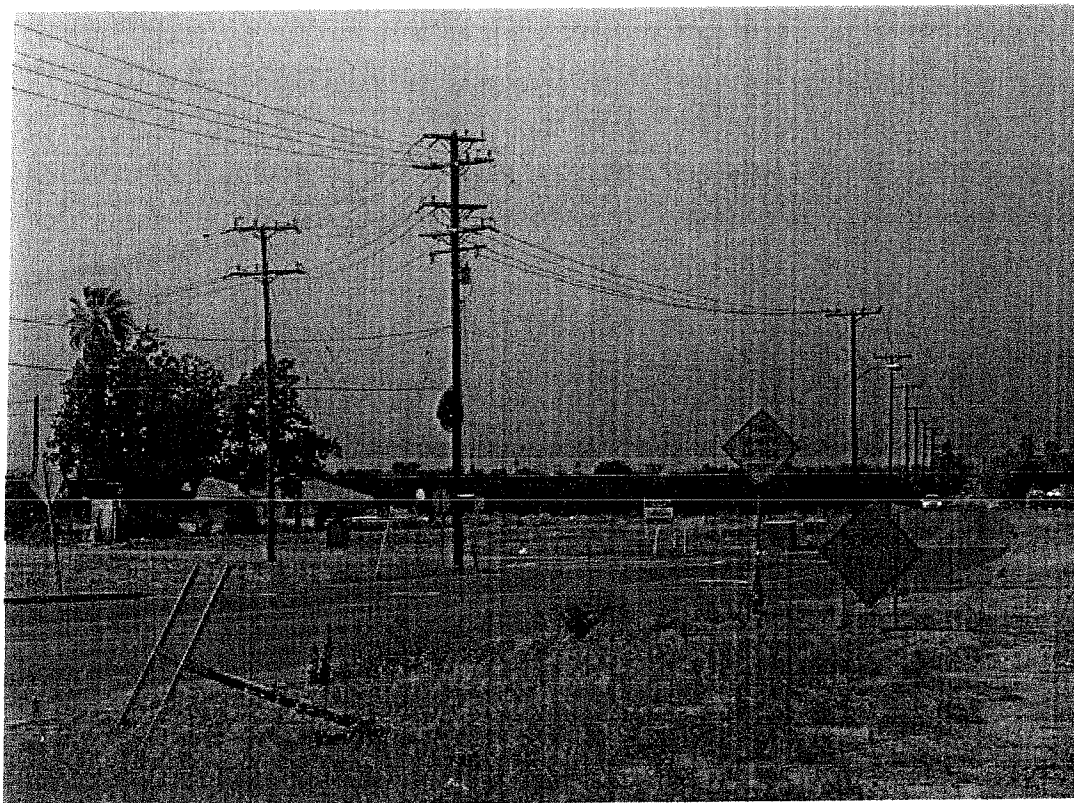


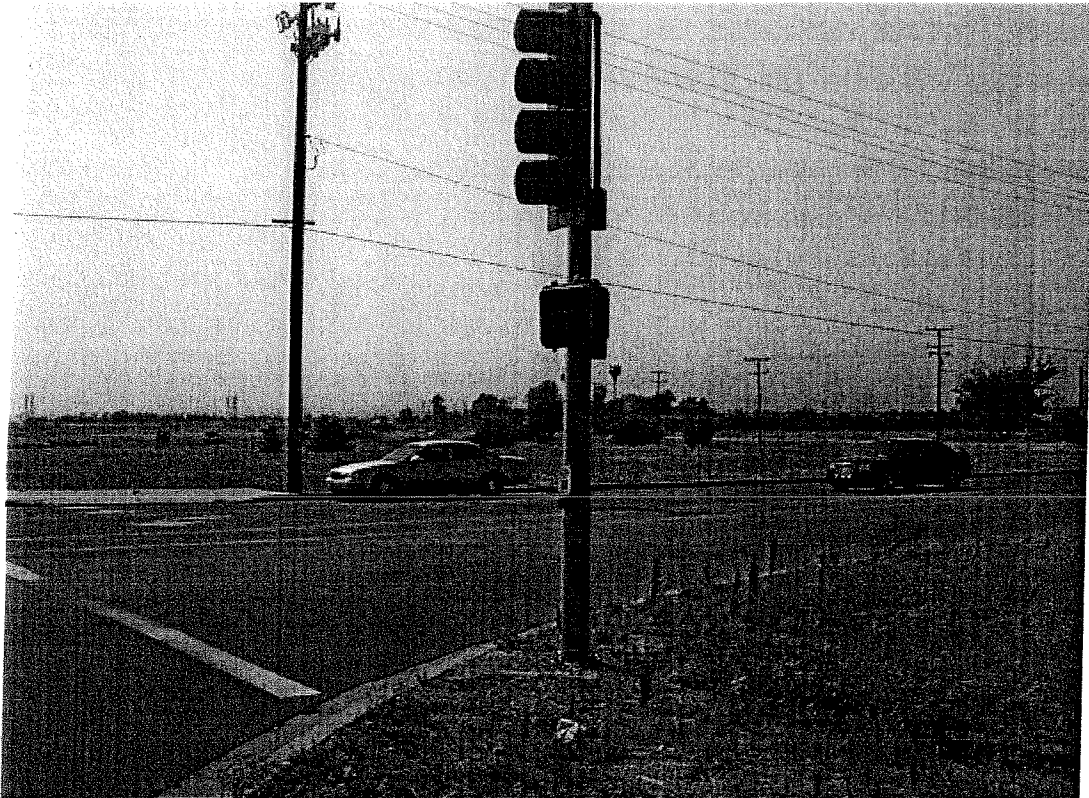


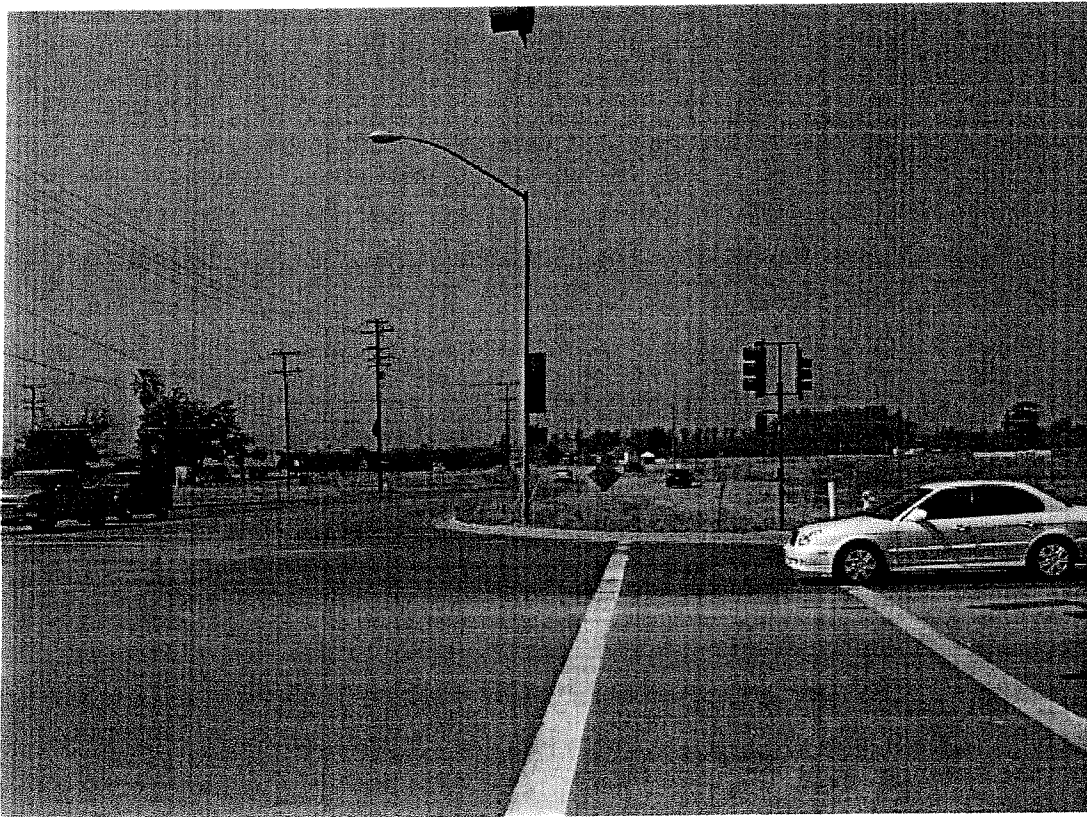
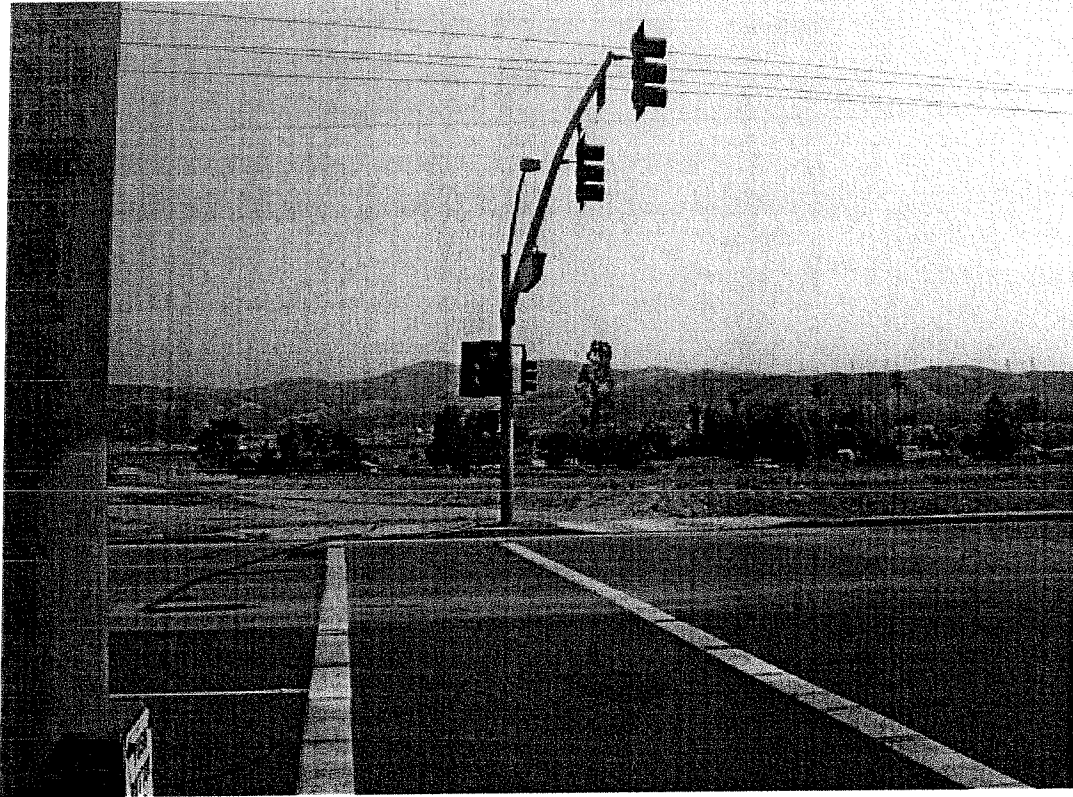


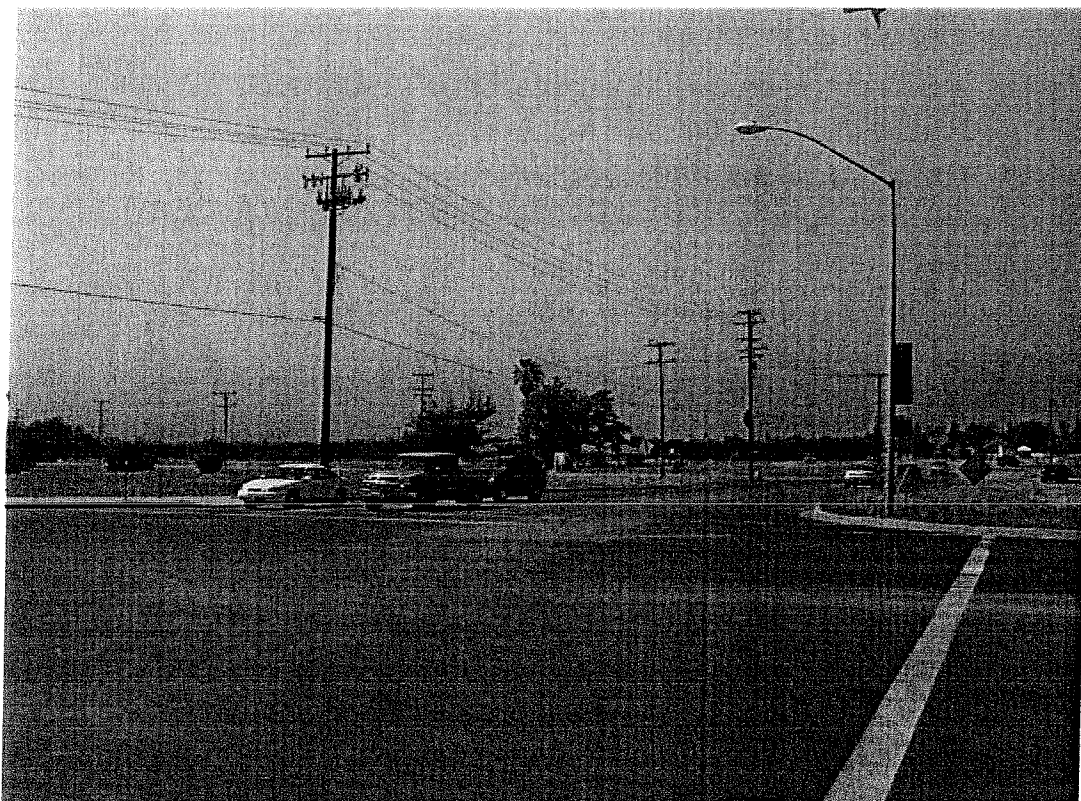


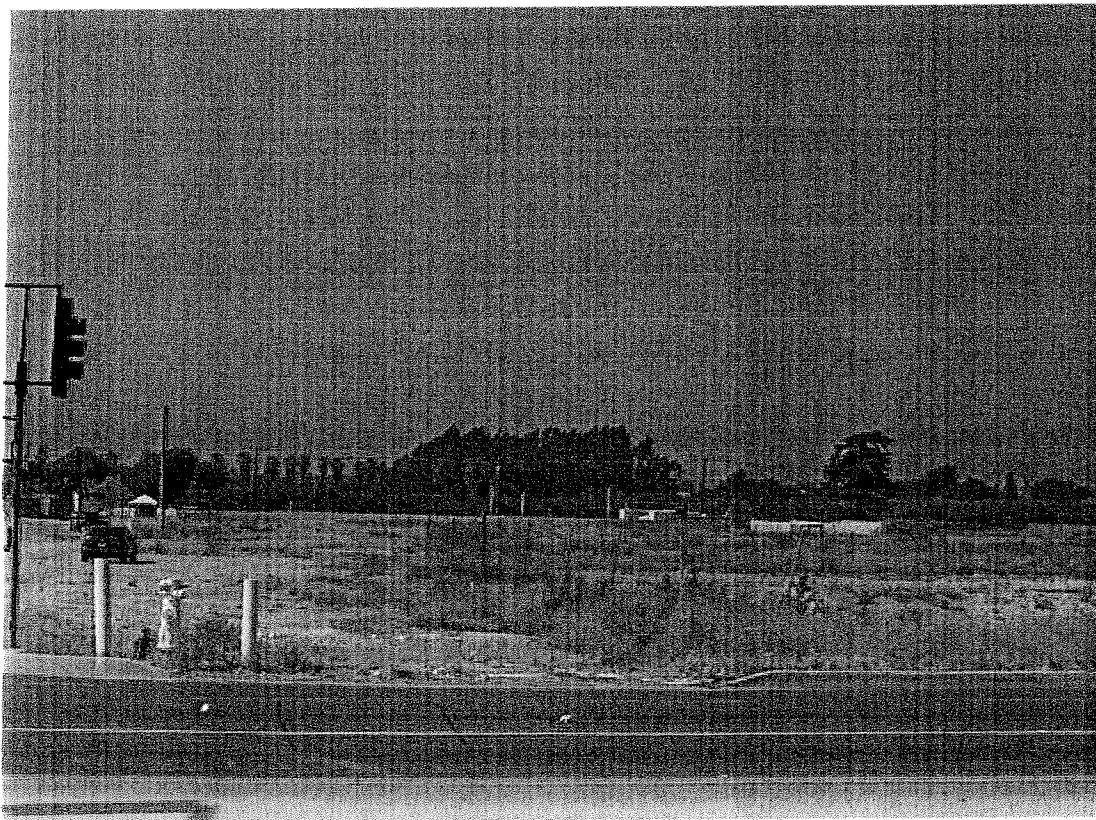




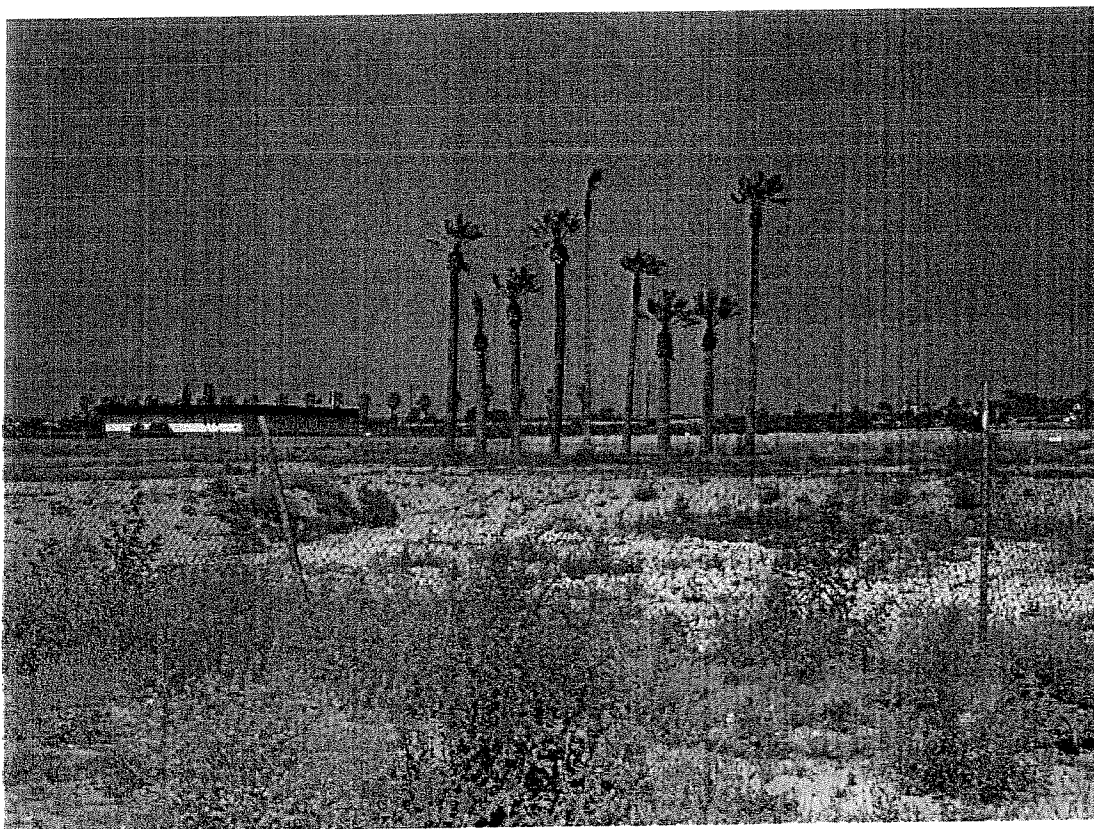
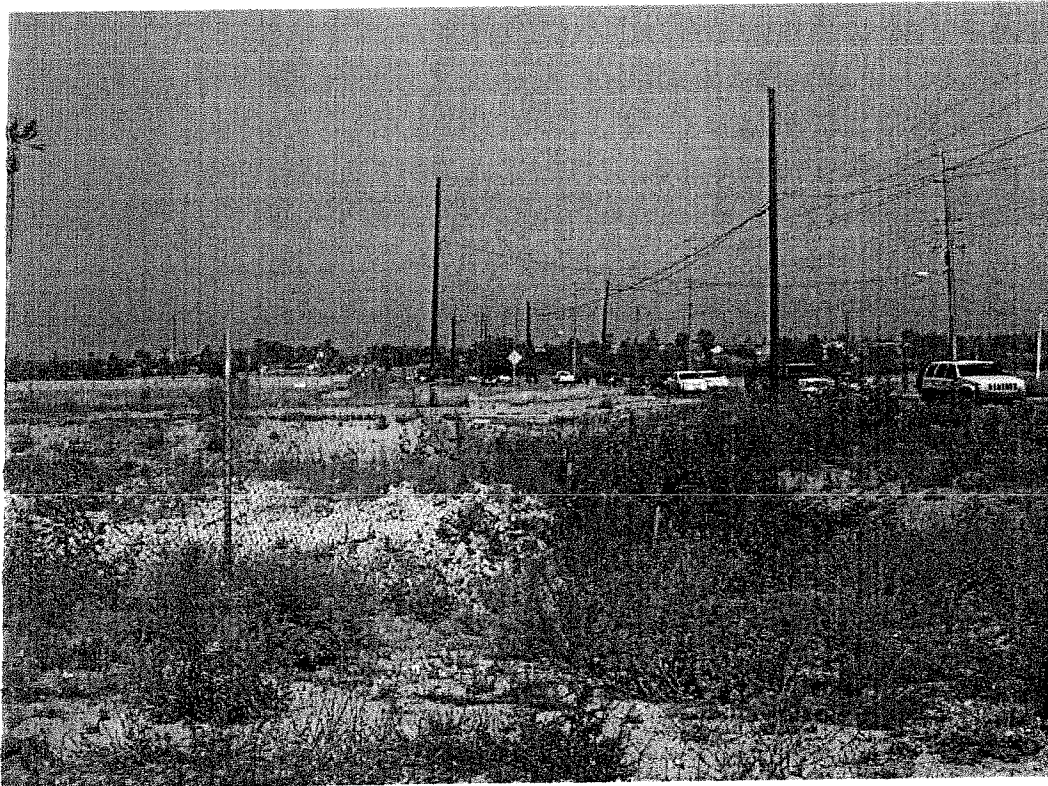


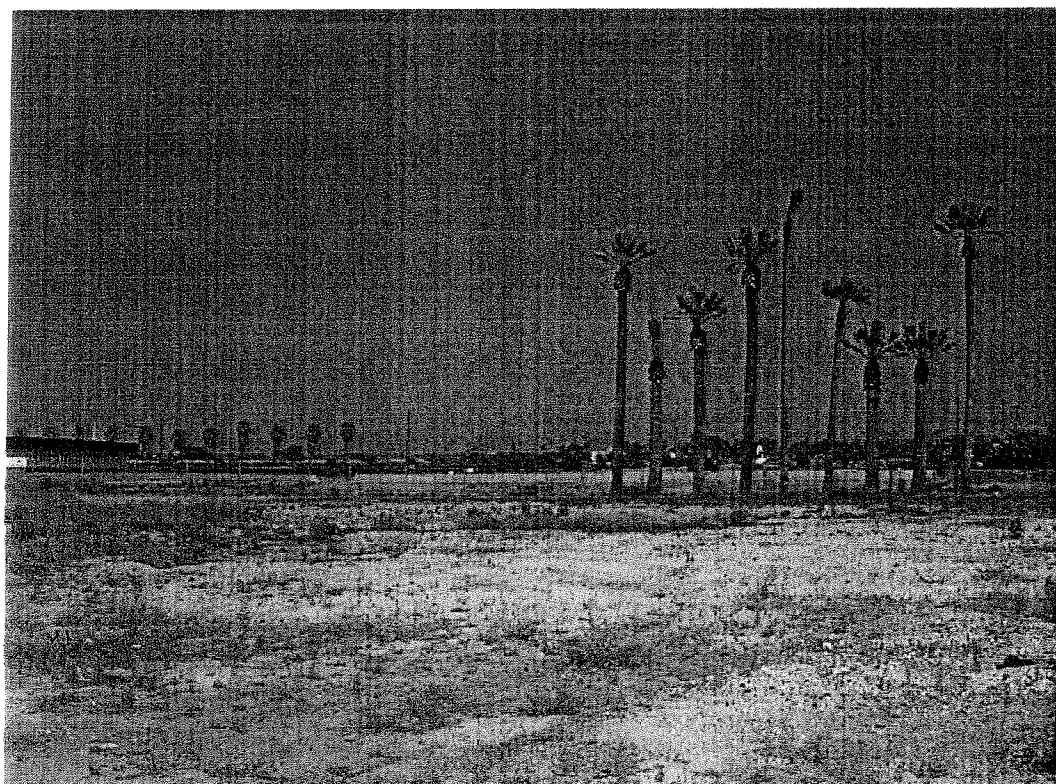


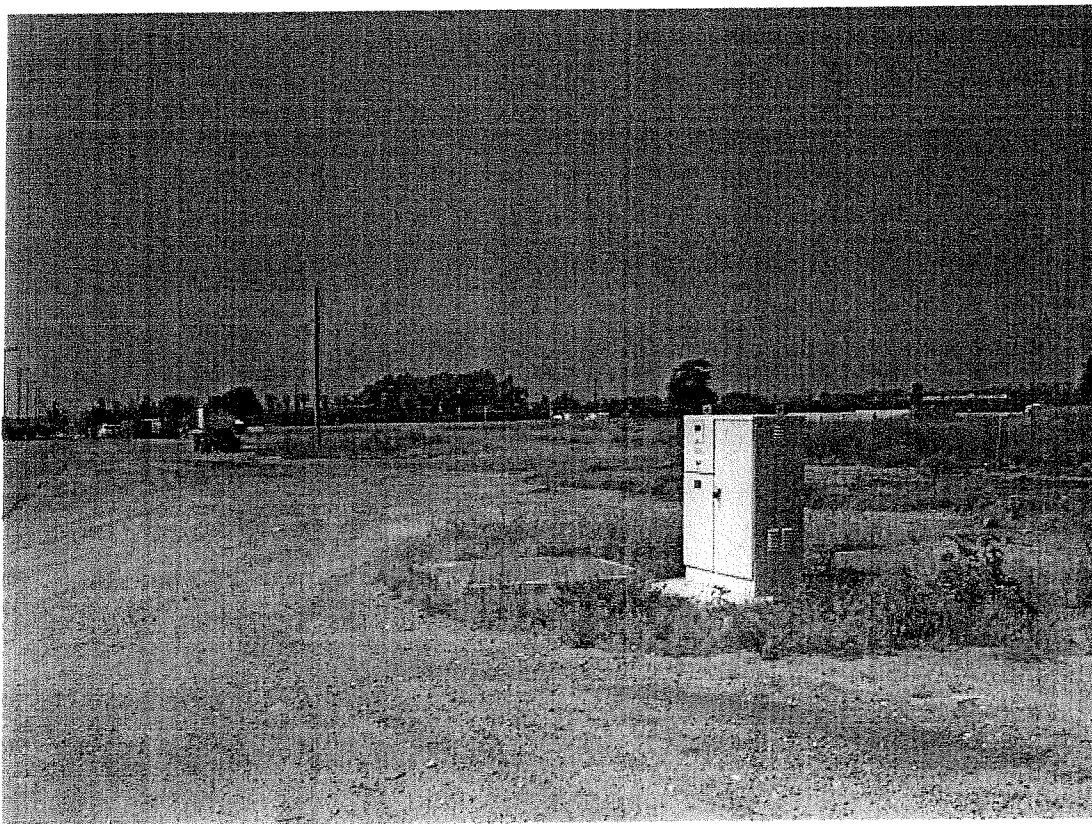
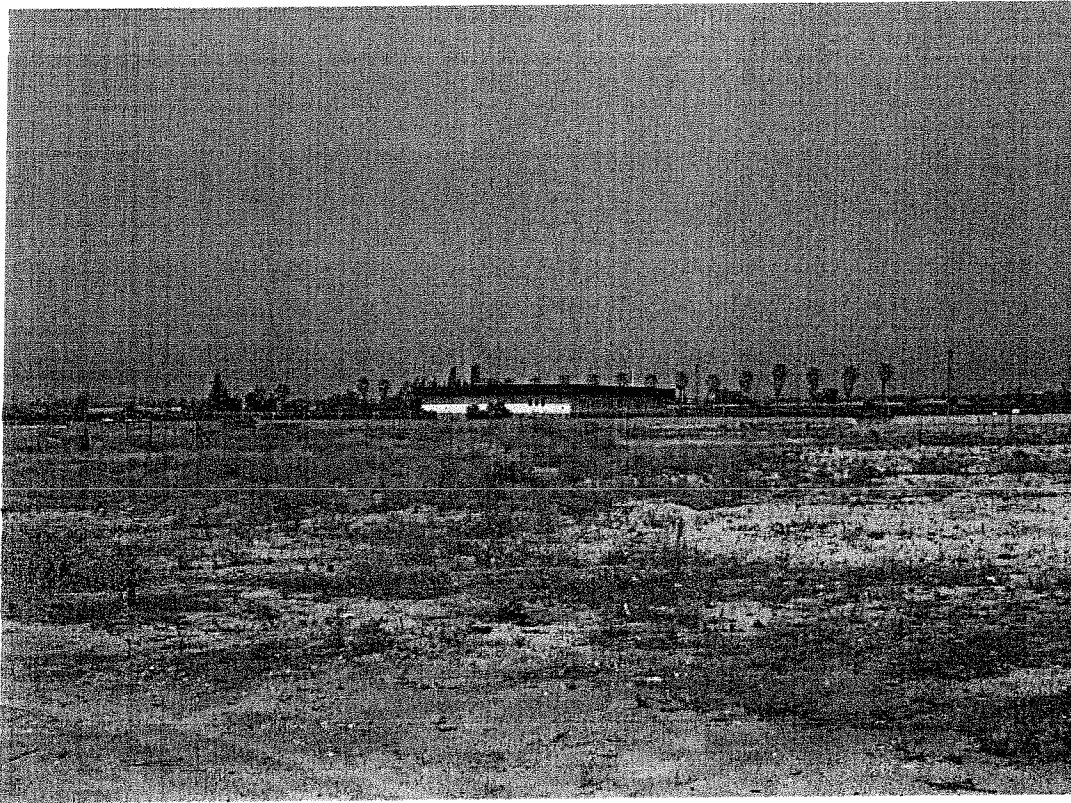


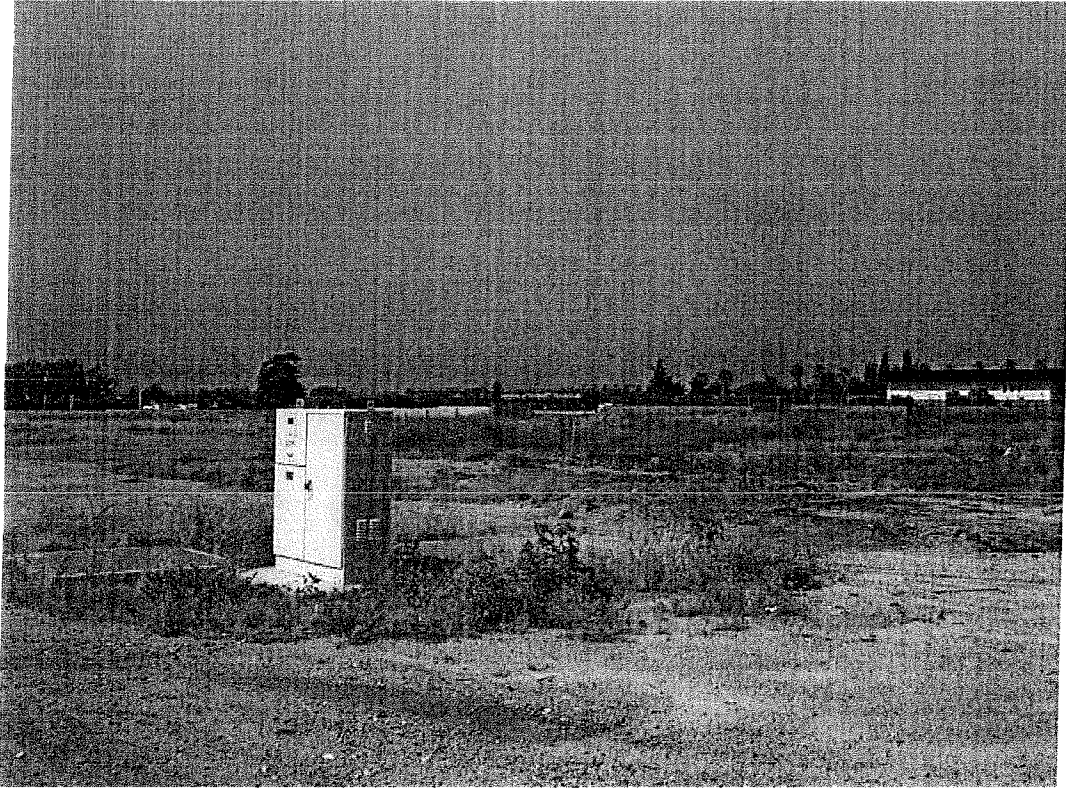


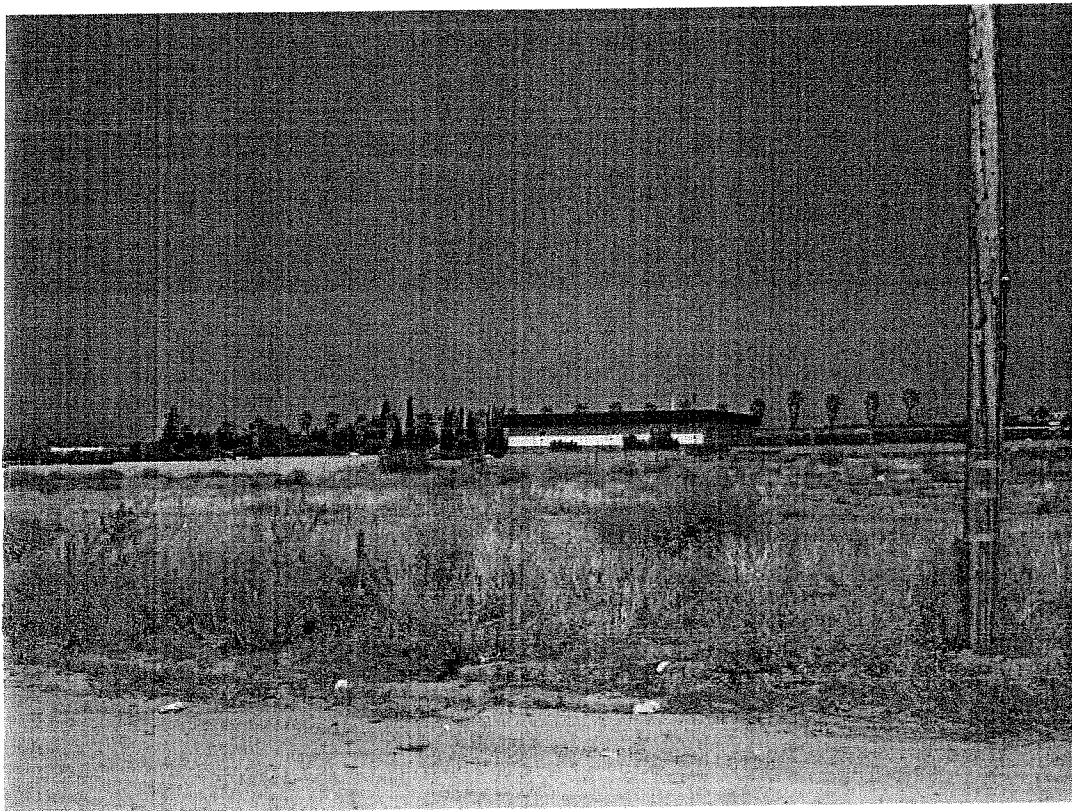
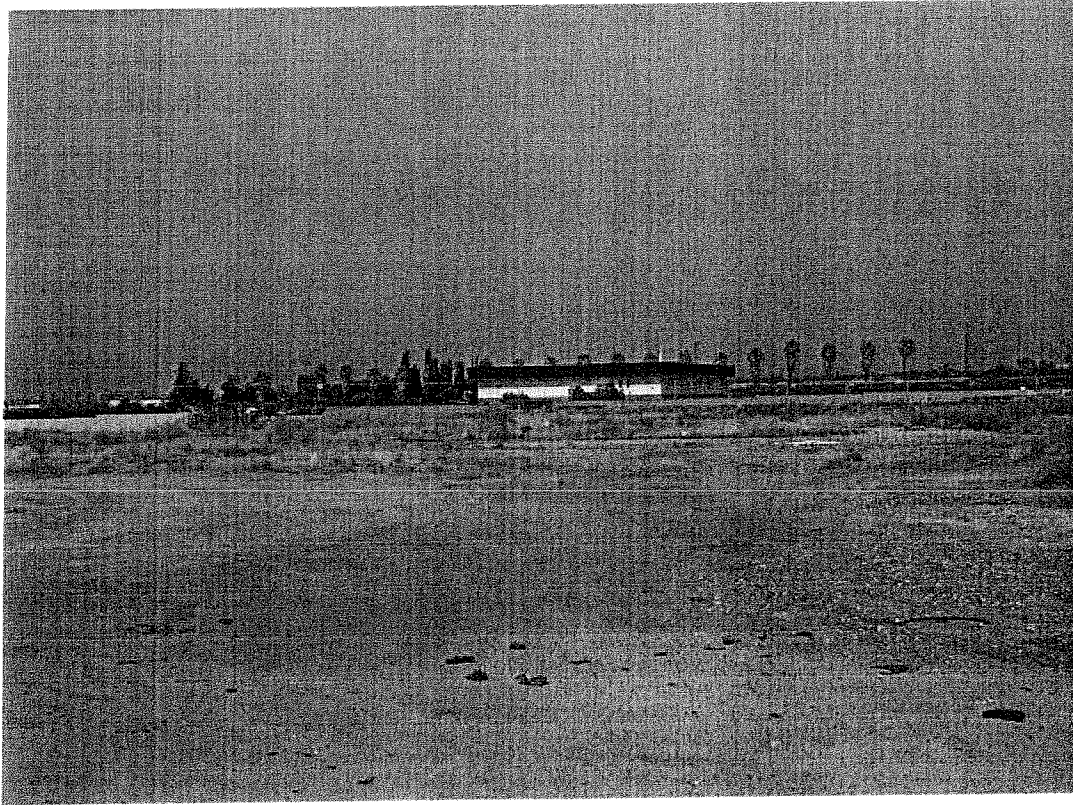


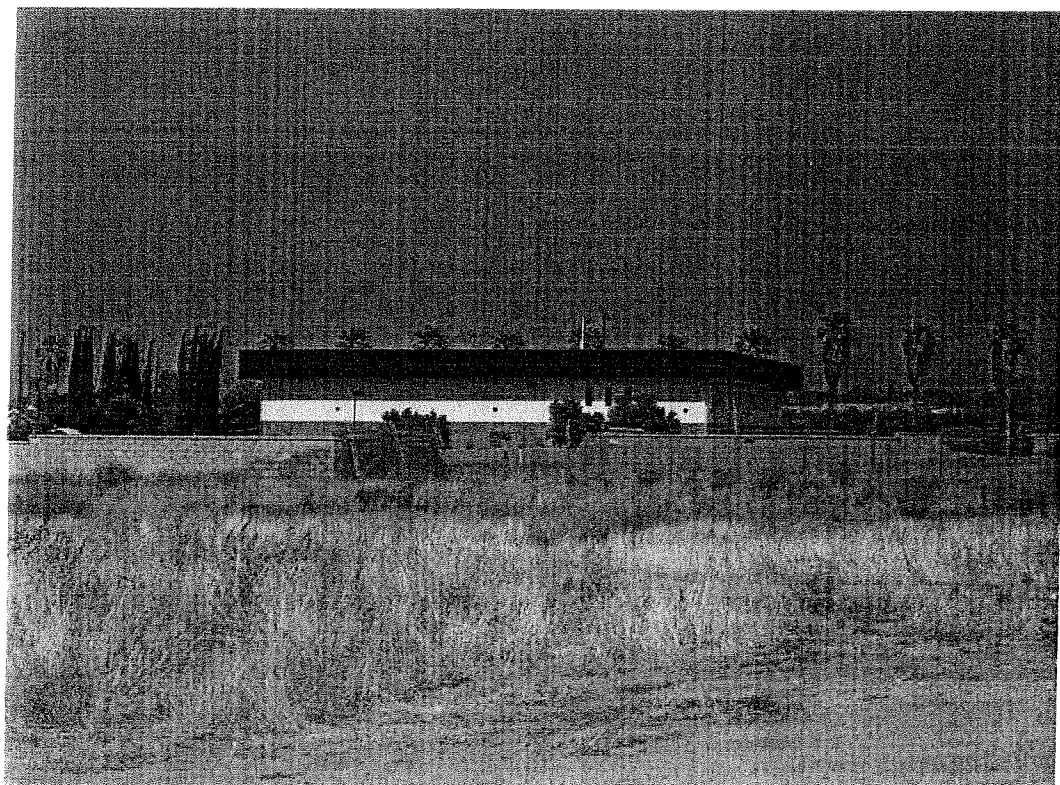


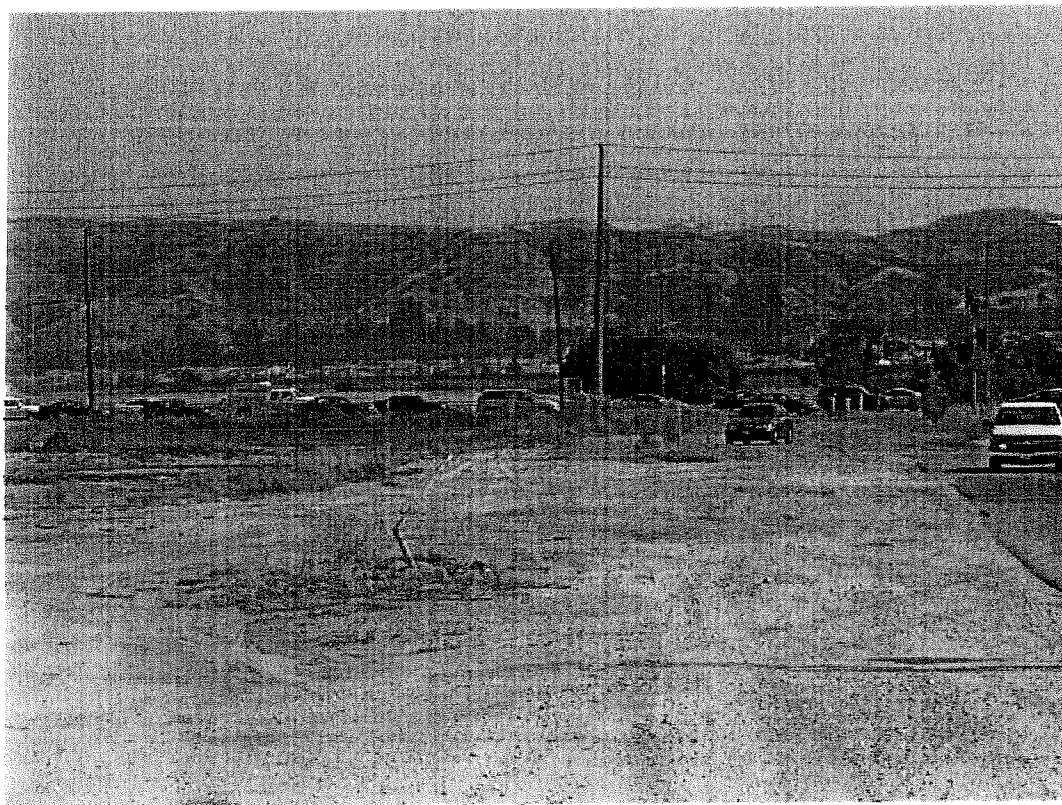


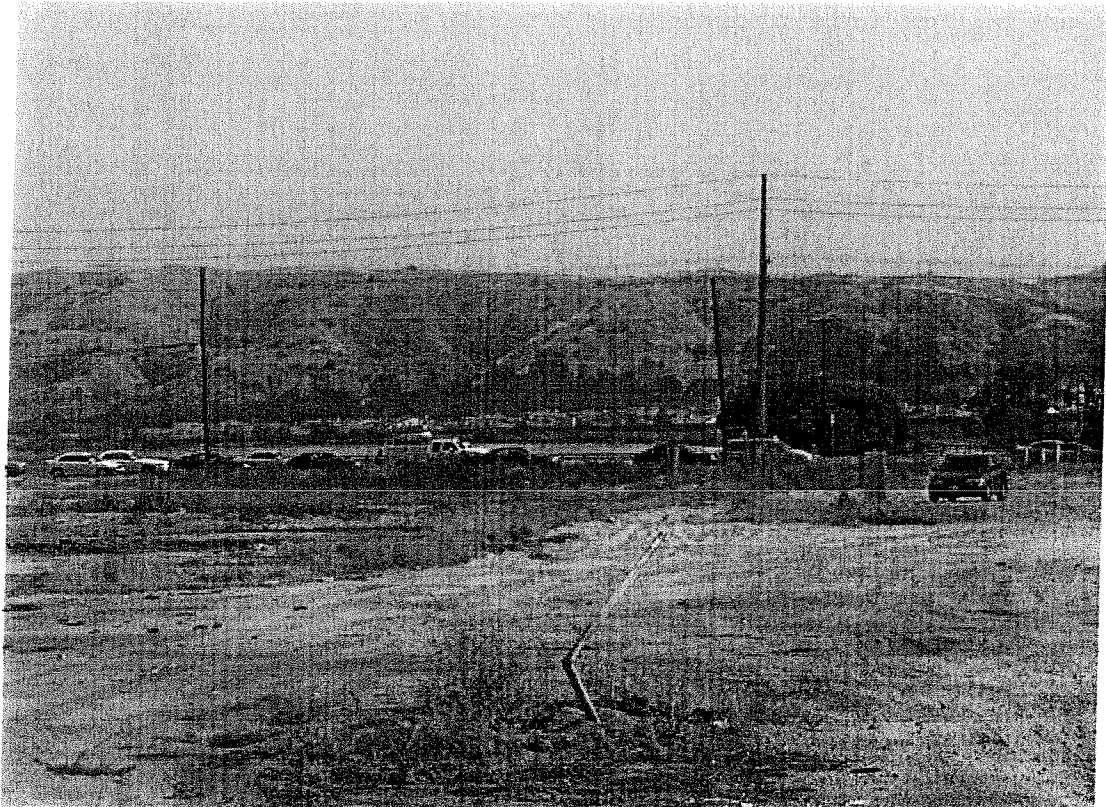


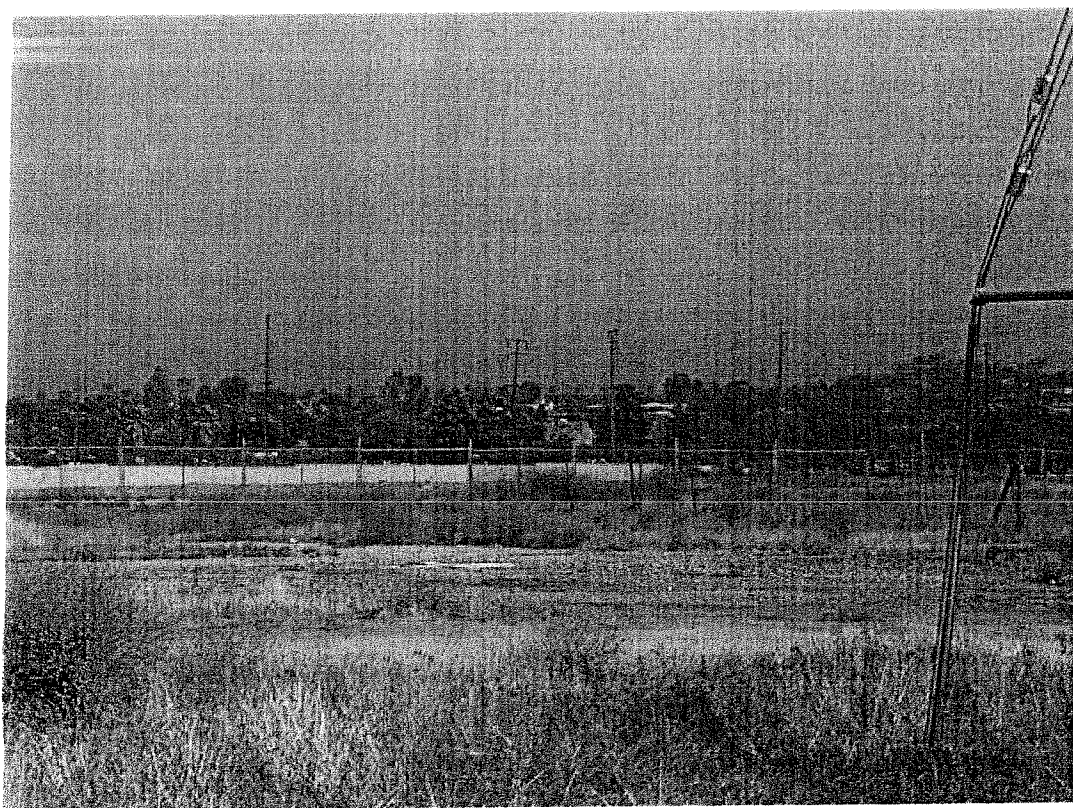












City of Loma Linda

COMMUNITY DEVELOPMENT DEPARTMENT

Memorandum

TO: Historical Commission

FROM: Deborah Woldruff, AICP, Director
Community Development Department

DATE: February 6, 2006

SUBJECT: Conditional Use Permit (CUP) No. 05-06 – A proposal to develop a new ARCO gasoline station with a 10-fuel dispenser canopy (152' x 41') and three underground fuel tanks. A 3,600 square-foot AM/PM convenience store is also being proposed along with a 980 square-foot self-service car wash, 3,000 square-foot fast food restaurant with drive-thru, and two separate retail store buildings (4,480 square feet and 6,900 square feet). The project is located at the northeast corner of Barton Road and California Street).

BACKGROUND

On November 14, 2005, Alex Cuevas, representing property owner Ahd Haddad submitted a proposal for the above-mentioned project. As part of the application submittal requirement, the applicant submitted a Cultural Resources Report. The report included the documentation of an intensive on-foot field survey of the project area carried out under the direction of CRM TECH. The survey results state that the buildings and/or structures that were previously removed have no historic significance to the area although they have been identified as being built prior to 1939 and related to the citrus-growing operations. CRM TECH contends the removal of the structures had effectively severed the potential association with any persons or events in their past through the total loss of historic integrity.

However, Ms. Robin Laska with the Archeological Information Center at the San Bernardino County Museum conducted a Historical Resources Review and found historically significant resources to exist within or adjacent to the project area as shown on historic maps. The identified prehistoric and historic resources consisted of a campsite to the north, structural site to the north, San Bernardino Sonora Road passing through the property, oil tanks and structures, a segment of the Southern Pacific Railroad, other historic structures and the community of Bryn Mawr. Based on these findings Ms.

Laska recommends that the applicant submit a documented, archaeological survey by a qualified archaeologist to inventory and evaluate all possible resources and, if necessary, propose appropriate mitigation.

Further research of City records indicates that on December 9, 2004 a demolition permit was issued for removal of the structures on the project site due to general dilapidation, potential fire hazards, and overall public health and safety concerns. At that time, a permit was issued to remove the dangerous structures, flammable liquids, fuel tanks, and conduct a soil test on the site on January 13, 2005.

On Monday, January 9, 2006 this project went before the Historical Commission for review. The commissioners and local residents raised concerns regarding the aesthetics of the architecture presented and the lack of mitigation measures to preserve the historic site. During the meeting the applicant was given guidance to address the issues of concern, revise plan design and provide a supplemental cultural resources report to outline any mitigation measures that would be pertinent to the historical preservation of the site. The project was then continued to the next scheduled Historical Commission Meeting. On January 26, 2006 the applicant submitted new architectural plans as well as a supplemental cultural resources report highlighting the historical significance of Mission Citrus Association Packinghouse. The supplemental report provided additional history of the proposed site but lacked any recommended mitigation measures for the preservation.

HISTORICAL PRESERVATION ISSUES

The project is located in the Historic Mission Overlay District and is subject to the requirements of Loma Linda Municipal Code (LLMC) Chapters 17.80 and 17.82 pertaining to the preservation and new development in this area. The project site was once identified as an economic base for the community relating back to the activities of the citrus industry. Significant historical landmarks including the San Bernardino Sonora Road and Zanja Trail have been identified to have once existed on the site. Measures to address these relevant issues have not been included for the proposed project.

LLMC Chapter 17.82, Section 10, (Item 2. Architectural Styles) requires that all new development within the Mission Overlay District be designed using historical architectural styles, as listed in the ordinance. Therefore, the City recognizes the project site as having some historic significance due to the structural relevance of the site as it relates to the surrounding citrus industry. As such, the project will need to provide some architectural design and/or theme to meet the requirements of the ordinance and to ensure compatibility with the district.

Section 17.80.090 stipulates that all permits for alteration, restoration, rehabilitation, addition, change of use, demolition removal or relocation of designated cultural resources and properties located in historic districts shall require a Certificate of appropriateness

from the City Council. The Historical Commission shall recommend approval or denial of the Certificate to the City Council based on the findings, as follows:

1. *With regards to a designated resource, the proposed work will neither adversely affect the significant architectural features of the designated resource nor adversely affect the character of the historical, architectural, or aesthetic interest of value of the designated resource and its site;*

The property north of the project is the symbolic site of the historic Zanja Trail and the only known cultural resource to currently exist on the site. The development plan will include areas that are consistent with the ongoing preservation efforts. This includes landscaping and paving the contours of the adjacent trail and the appropriate identification of the historic locale. Similarly the architectural styles are required to be consistent with the surrounding district.

2. *With regard to any property located within a historic district, the proposed work conforms to the prescriptive standards and design guidelines for the district adopted by the commission, and does not adversely affect the character of the district;*

The original project and site design did not meet all of the requirements of LLMC Chapter 17.82.090, Design Criteria and Development Standards of New Development. However, the revised proposal was modified to incorporate an architectural style reflective of the district requirements while preserving the identity and significance of the site itself.

3. *In the case of construction of a new improvement, addition, building or structure upon a designated cultural resource site, the use and exterior of such improvements will not adversely affect and will be compatible with the use and exterior of existing designated cultural resources, improvements, buildings, natural features, and structures on the site; and,*

With modifications of the architectural elements, the site and building design enhances the surrounding area and does not adversely affect any designated cultural resources. The revised plan designs are replicated historic structures including the Mission School, Packing House, Railroad station, sanitarium and cash market. The Zanja Trail has been identified, as being located on the northern boundary of the project site. The proposed project will incorporate mitigation measures to highlight the historic significance of the Zanja. Mitigation measures will include but are not limited to landscaping and memorial dedication to the trail.

4. *That strict application of standards does not create an economic hardship based on testimony and evidence supplied by the applicant whereby it is judged by the commission and city council that strict application of the guidelines would deprive the owner of the property of all reasonable use of or economic return on, the property.*

The applicant has not indicated that the strict application of the standards outlined in LLMC Chapters 17.80 and 17.82 would create an economic hardship and deprive him of all reasonable use of or economic return on the property.

RECOMMENDATION

Staff recommends that the Historical Commission take the following actions:

1. Consider mitigation measures that address the loss of potentially significant structures and historical relevance of the site which may include;
 - Use of California native plants and tree species to enhance the Zanja Trail area. i.e., roses, palm trees, etc.
 - The use of replicated orange crate murals on the plainer elevations and blank exterior walls.
 - Stamped concrete with an inlayed plaque that will line up along the extension of Mission Road through the proposed project area to commemorate the San Bernardino Sonora Road that ran through the site.
 - Provide an alternate sign design that will meet City standards.
 - Include framed historic photographs of the area to be displayed inside the retail store buildings.
2. Recommend to approve the Certificate Of Appropriateness for PPD No. 05-06 based on the Findings;
3. Forward PPD No. 05-06 to the Planning Commission for the public hearing on April 5, 2006 with additional recommendations, as appropriate.

Respectfully Submitted,



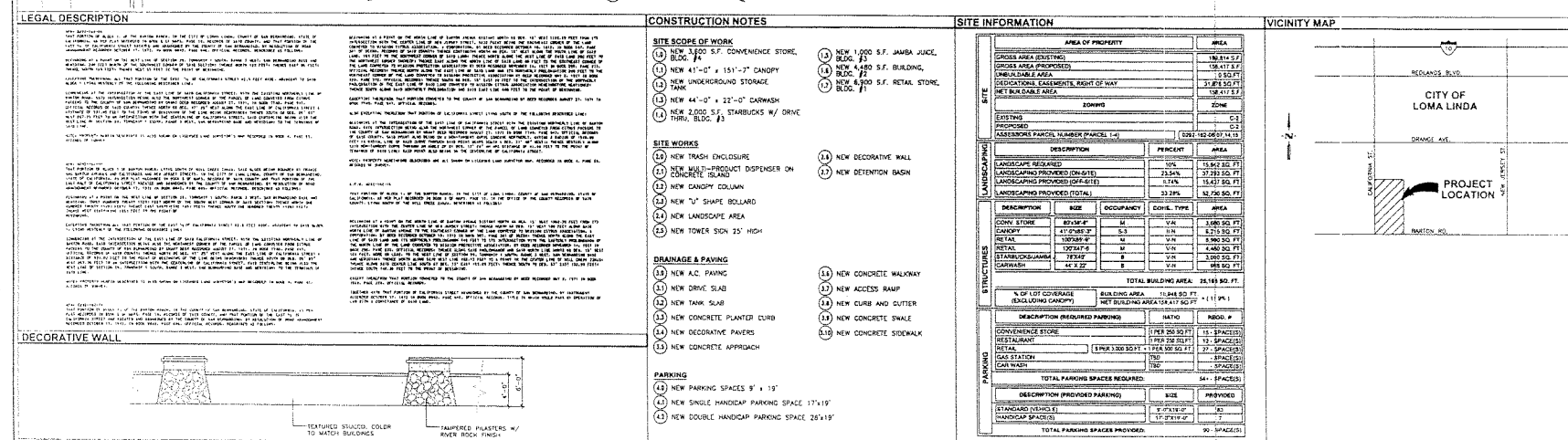
Allan Penaflorida
Planning Technician

Attachments:

- A. Site Plan

Attachment A

Site Plan



Attachment B

Planning Commission Staff Report (April 5, 2006)

- 1. Vicinity Map**
- 2. Project Plans**
- 3. Mitigated Negative Declaration**
- 4. Conditions of Approval**
- 5. Applicant's Appeal Letter
(May 12, 2006)**

Staff Report

City of Loma Linda

From the Department of Community Development

PLANNING COMMISSION MEETING OF APRIL 5, 2006

TO: PLANNING COMMISSION

FROM: DEBORAH WOLDRUFF, AICP, DIRECTOR,
COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: DEVELOPMENT CODE AMENDMENT (DCA) NO. 06-01 AND CONDITIONAL
USE PERMIT (CUP) NO. 05-06

SUMMARY

A request to amend the Loma Linda Municipal Code, Section 17.46.030(E), Conditional Uses to include provisions to allow the off-site sale of beer and wine in a convenience store without the restriction of a minimum floor area in the Commercial General (C-2) zone. The amendment is part of a project that requests to construct a new Arco gasoline station with 10-fuel dispensers; a 3,000 square-foot canopy, three underground fuel storage tanks, a 3,600 square-foot convenience store, a 3,000 square-foot *fast-food, drive-thru restaurant and coffee shop*, a 970 square-foot car wash and two separate retail store buildings (4,480 and 6,900 square-feet, respectively; and conceptual two-story design). A conditional use permit (CUP) is required as stated in the Loma Linda Municipal Code Sections 17.30.140(6) "Drive-in Businesses" and 17.46.030 "Automotive Service Stations." The provision of off-site sale of beer and wine also would require a CUP as proposed by the text amendment. The 3.6-acre site is located at the northeast corner of Barton Road and California Street. (See Attachment A, Site Location)

RECOMMENDATION

The recommendation is that the Planning Commission recommends the following actions to the City Council:

1. Adopt the Mitigated Negative Declaration; and,
2. Approve and forward a recommendation to adopt Loma Linda Municipal Code Section 17.46.020 to include provisions to allow the off-site sale of beer and wine in a convenience store without restriction to floor area.
3. Approve Conditional Use Permit (CUP) No. 05-06 based on the Findings, and subject to the Conditions of Approval (Attachment B) pending the approval by the City Council as outlined in Item No. 2, above.

PERTINENT DATA

Property Owner/Applicant: Mr. Ahd Haddad

General Plan /Zoning: Commercial/Neighborhood Specialized Community
General Business (C-2)

Site: A 3.6-acre (approx. 158,500 square-feet) parcel located on the northeast corner of Barton Road and California Street

Topography: Flat (Partially excavated from the removal of vacant structures)

Vegetation: Natural vegetation

Special Features: N/A

CUP No. 05-06
without alcohol
CITY OF LOMA LINDA
PLANNING COMMISSION
APPROVED DENIED
CONTINUED
TO: _____
AT THE MEETING OF:
April 5, 2006
BY: Julie Larabee
PLANNING COMMISSION SECRETARY
DCA No. 06-01

BACKGROUND AND EXISTING SETTING

Background

On November 14, 2005, Alex Cuevas (representing property owner Ahd Haddad) submitted a proposal for the above-referenced project. The project was reviewed by the Administrative Review Committee (ARC) on November 22, 2005, January 3, 2006, and January 31, 2006 and forwarded to the Planning Commission. The project was resubmitted to ARC on January 3, 2006 and on January 31, 2006 deemed complete for application submittal requirements.

On January 9, 2006, the Historical Commission reviewed the project and required changes to the architecture and a supplemental historical study. The applicant worked on the requested changes and supplemental information. On February 6, 2006, the Historical Commission completed its review and recommended approval of the project to the Planning Commission and approval of the Certificate of Appropriateness to the City Council.

Existing Setting

Currently the site is a vacant 3.6-acre parcel with palm trees on the eastern portion of the property. The surrounding neighborhood consists of new residential development (Barton Vineyard Apartments adjacent to the north and the Mission Lane, Mission Trails, and Mission Creek developments further west), vacant land adjacent to the east, vacant land and the San Timoteo Channel to the south, commercial self-storage facility to the southwest, and vacant land to the west.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) STATUS

The project is subject to (CEQA) and an Initial Study has been prepared to address the potential environmental impacts of the project and a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration of Environmental Impact is proposed. The CEQA mandated

ANALYSIS

Project Description

As previously stated, the project is a request to amend the Loma Linda Municipal Code, Section 17.46.030(E), to include provisions to allow the off-site sale of beer and wine in a convenience store without the restriction of a minimum floor area in the Commercial General (C-2) zone under the Conditional Use section. The amendment is part of a proposed project that requests to construct a commercial retail/gas station center (approximately 25,200 sq. ft. building area) on the 3.6 acre parcel located on the corner of Barton Road and California Street.

Development Code Amendment

The applicant has requested an amendment to the Loma Linda Municipal Code (LLMC), Chapter 17.46, C-2, General Business Zone to provide for the off-site sale of beer and wine in a convenience store without the restriction of a minimum floor area. Currently the LLMC, Chapter 17.46.020 states off-site sale of beer and wine is permitted in stores with thirty-thousand square feet or greater floor area in the C-2 zone. The proposed convenience store has floor area space of approximately 3,600 square feet which is typical for gas station related convenience markets. If approved, any automotive service stations with related convenience market located on approvable parcels in the C-2 zone can apply for a Conditional Use Permit for the off-site sale of beer and wine without the restriction of a minimum floor area.

Additionally, California Penal Code Section 172g states that sales of alcoholic beverages are not allowed within one ground mile of the Loma Linda University (LLU) campus. Measuring the distance on the City map indicates that the proposed project is located more than one mile from the LLU campus.

Historical Commission

As part of the application submittal requirement, the applicant submitted a Cultural Resources Report (Report). The Report included the documentation of an intensive "on-foot" field survey of the project area carried out under the direction of CRM TECH. The survey results indicate that the buildings and/or structures that were previously removed have no historic significance to the area although they have been identified as being built prior to 1939 and related to the citrus-growing operations. CRM TECH contends the removal of the structures had effectively severed the potential association with any persons or events in their past through the total loss of historic integrity.

However, Ms. Robin Laska with the Archeological Information Center at the San Bernardino County Museum conducted a Historical Resources Records Review and found historically significant resources to exist within or adjacent to the project area as shown on historic maps. The prehistoric and historic resources identified consist of a campsite and structural site to the north, San Bernardino Sonora Road passing through the property, oil tanks and structures, a segment of the Southern Pacific Railroad, other historic structures and the community of Bryn Mawr. Based on these findings, Ms. Laska recommended that the

applicant submit a documented, archaeological survey by a qualified archaeologist to inventory and evaluate all possible resources and, if necessary, propose appropriate mitigation.

Further research of City records indicate that on December 9, 2004 a demolition permit was issued for removal of the structures on the project site due to general dilapidation, potential fire hazards, and overall public health and safety concerns. On January 13, 2005 a permit was issued to remove the dangerous structures, flammable liquids, fuel tanks, and to conduct a soil test on the site.

As stated, this project was reviewed by the Historical Commission on January 9, 2006 and February 6, 2006. At the January 9th meeting, the Commissioners and local residents raised concerns regarding the aesthetics of the architecture presented and the lack of mitigation measures to preserve the historic theme of the area. During the meeting the applicant was provided with guidance to address the issues of concern, revise plan design and provide a supplemental cultural resources report to outline any mitigation measures that would be pertinent to the historical preservation of the site. The project was then continued to the next regularly scheduled Historical Commission Meeting.

On January 26, 2006 the applicant submitted new architectural plans as well as a supplemental cultural resources report highlighting the historical significance of Mission Citrus Association Packinghouse. The supplemental report provided additional history of the proposed site but lacked any recommended mitigation measures for the preservation. The Historical Commission and staff provided suggestions of appropriate mitigation measures such as the incorporation of historical information (i.e. pictures, murals, and artifacts) for cultural groups and historical periods represented in the project area, which will become part of the conditions of approval. The project location is in the Historic Mission Overlay District and is subject to the requirements of Loma Linda Municipal Code (LLMC) Chapters 17.80 (Historic Preservation) and 17.82 (Historic Mission Overlay District). On February 6th, the Historical Commission forwarded a recommendation of approval to the City Council for the Certificate of Appropriateness for the proposed development, based on the findings and recommended mitigation measures.

Site Analysis

Currently, the project site consists of four (4) vacant parcels surrounded by a mix of residential and commercial developments. The properties to the north, south and east are zoned Neighborhood Business commercial (C-2). The adjacent property to north of the project site has been approved for a multi-family residential use and is currently under construction. The properties west and across California Street are vacant. Further west of the project site (and south of Mission Road) lies new and existing single-family residential developments.

The site has a gross area of 4.3 acres. Approximately 0.75 acres are reserved for dedications, easements, and right-of-way. The net buildable area for the site is approximately 3.6 acres, and the proposed building area is approximately 0.40 acres which yields 12 percent coverage. A proposed on-site landscaping yields approximately 23 percent of coverage. The proposal includes native landscaping along the northern edge of the property as a dedication to commemorate the Zanja Trail. (See Conditions of Approval, Item No. #34)

Five buildings are proposed on site. The buildings include a 3,600 square-foot convenience store, 3,000 square-foot fast-food, drive-thru restaurant and coffee shop, a 970 square-foot carwash, and a 4,480 square-foot and 6,900 square-foot retail structures (conceptual two-story design). The applicants brought up the possibility of adding a future second story to the 6,900 square-foot retail structure (the northern most building on site), which would result in a total floor area to 11,334 square feet. This request would be addressed as a tenant improvement only at the time of plan check, provided that the additional floor area does not exceed 10,000 square feet (which would exceed CEQA exemption requirements) and that the elevations would not be modified (currently, the exterior elevations depict a two-story structure). These buildings and their various uses require 55 parking spaces. The conceptual second story addition to the retail structure would require an additional 18 parking spaces. Currently, the site proposal provides 96 total spaces with plans for additional spaces in the future. Therefore, the proposal meets and exceeds the City's minimum parking requirement.

The site has two points of ingress and egress, one from Barton Road and the other from California Street. These two access points are right-in and right-out only. Improvements to the adjacent streets will include right turn pocket on Barton Road (west bound) for north bound commuters on California Street and street medians for both Barton Road and California Street. California Street will also include a left turn pocket for the north bound traffic to access Mission Road.

Architecture Analysis

The applicant has proposed architectural designs that are consistent with the requirements of the Historic Mission Overlay District. The proposed designs will also meet the mitigation measures recommended by the Historical Committee and staff to preserve the historical relevance of the site to the District. The applicant has replicated the historic Loma Linda Sanitarium and the Mission School, which both exhibit a Mission-like style, and a factory brick structure with Colonial Revival architectural elements in the proposed elevations.

The proposed convenience store, which fronts Barton Road, has been designed to reflect the packing house that once stood on this site. The canopy of the proposed gas pump area incorporates architectural elements found in old railroad stations of this same historical period. The proposed car wash structure lacks a distinctive design in comparison to the other building elevations; however, it does depict the old General Store theme of the same era. In addition, the floor areas of the buildings shall incorporate historical information (i.e., pictures, murals, artifacts) which commemorates heritage of the community. The applicant has gone further to depict the historical significance of the site by utilizing pavement markers as a commemorative continuance of the historic San Bernardino Sonora Road through the project area. (See Attachment D, Project Plans)

Development Code (Text) Amendment Findings

Text amendments to zoning documents are considered legislative acts and do not require findings. However, State law does require that the zoning be consistent with the General Plan. Policy Nos. 9 and 10 states the following:

"Since a large proportion of the City's land is tax exempt, fiscal responsibility is of paramount importance, and will be exercised in meeting the public's needs in the new city"

"Policy should be developed to upgrade to functional, safe, aesthetically pleasing neighborhoods, those parts of the Community which were developed in substandard conditions prior to incorporation"

The amendment to Chapter 17.46.020 of the Loma Linda Municipal Code to include provisions to allow the off-site sale of beer and wine in a convenience store without restriction to floor area provides increased retail opportunities to automotive service stations that are otherwise limited to food, groceries, and sundries. The increase in sales revenue will contribute the fiscal needs of the city which contributes to public benefits. The contributions to the revenue will help in developing parts of the Community which were developed in substandard conditions prior to incorporation. The increased retail opportunities will facilitate the development of other commercial uses in the future and the development of unimproved properties.

Conditional Use Permit (CUP) Findings

Pursuant to LLMC Section 17.30.210, the Planning Commission, when considering a Conditional Use Permit, shall find as follows:

1. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this title.*

According to the Loma Linda Municipal Code (LLMC) Sections 17.30.140 and 17.46.030, drive through businesses as well as automotive service stations both require the Conditional Use Permits. Furthermore, the proposed use is compatible with the permitted use and desirable to the public convenience or welfare, and consistent with the General Plan.

The requested off-site sale of alcohol will be permitted in the C-2 zone pending the adoption of the proposed Development Code Amendment. The availability of beer and wine will provide a service and convenience to surrounding neighborhood and community. Any negative impacts related to the alcohol service will be mitigated by the implementation of the Conditions of Approval for the project and the Alcohol Beverage Control (ABC) Department regulations.

2. *That the said use is necessary or desirable for the development of the community, is in harmony with the various elements and objectives of the general plan, and is not detrimental to existing uses specifically permitted in the zone in which the proposed use is to be located.*

The proposed project is desirable for the development of the community by providing residents with convenient access to necessary amenities of daily living. Goal # 2 of the General Plan states that formation of new activity area center at Mountain View Avenue and Barton Road is a prime element in planning for the future city. The project provides the residents of Loma Linda with a multi-tenant/multi-use center. According to the Land Use Element of the Draft General Plan, the project site is in a proposed commercial zone,

which is consistent with the proposed use. Again, the project site is surrounded by vacant and currently under construction multi-family development on a corner of a major arterial roadways.

As stated, the request of off-site sale of alcohol will be permitted in the C-2 zone pending the adoption of the proposed Development Code Amendment. The availability of beer and wine will provide a service and convenience to surrounding neighborhood and community. Any negative impacts related to the alcohol service will be mitigated by the implementation of the Conditions of Approval for the project and the Alcohol Beverage Control (ABC) Department regulations.

3. *That the site for the intended use is adequate in size and shape to accommodate said use and all of the yards, setbacks, walls, or fences, landscaping and other features required in order to adjust said use to those existing or permitted future uses on land in the neighborhood.*

The project meets the development requirements of the C-2 Neighborhood Business Zone. The structures located within the commercial use zone are in compliance with the yard, setbacks, and landscaping requirements of the existing zone. The construction of accessory structures such as walls and fences will require Building and Safety Division review and approval prior to the issuance of construction permits. With regard to the appropriateness of site, the proposed project will be constructed on an existing 3.6 acre parcel, and will have a lot coverage of approximately 12 percent and a landscaped area of approximately 33 percent.

The site is adequate for all of the proposed uses for the site, which include a gasoline service station, convenience store with off-site sale of beer and wine, fast-food drive-thru restaurant with a coffee shop, self serve carwash, and two retail buildings. The design of the site and buildings accommodates all of the uses including unique features such as the drive-thru lane and gasoline service pumps.

4. *That the site or the proposed use related to streets and highways properly designed and improved to carry the type and quantity of traffic generated or to be generated by the proposed use.*

The proposed project location has a direct driveway access from westbound Barton Road. Additionally, California Street offers a northbound access. According to the Trip Generation manual for the Institute of Transportation Engineers (1991) the proposed project will generate approximately 330 trips during weekday peak hours of operation; this will reduce the Level of Service (LOS) to D from the current Level of Service (C). However, the proposed improvements to the Barton Road and California Street intersection as well as the future widening of California street adjacent to the project site and the collection of fair share cost (at \$5.57 per square feet) will assist in improving the LOS to current levels.

5. *That the conditions set forth in the permit and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare.*

The public health, safety and general welfare will be protected through implementation of the Conditions of Approval which will insure that all aspects of the commercial

development are compatible with the surrounding neighborhood. Additionally, the proposed project will meet the minimum development standards required by the C-2 zone and California Building Code.

Public Comments

Public notices for this project were posted and mailed to parcel owners and occupants within 300 feet of the project site on December 22, 2005. As of the writing of this report, staff has not received written or oral comments in opposition or in favor of the proposal.

CONCLUSION

All elements of the project are consistent with the existing and draft General Plans. The project is also in compliance with the Commercial General Zone (C-2) regulations pending the adoption of the Development Code Amendment. The commercial project is appropriate and compatible with the surrounding new residential developments and growth within this street and neighborhood. Therefore, it is recommended that the Planning Commission recommend approval of the proposed project to City Council based on the findings and subject to the conditions of approval.

Respectfully submitted,


Allan Penaflorida
Planning Technician

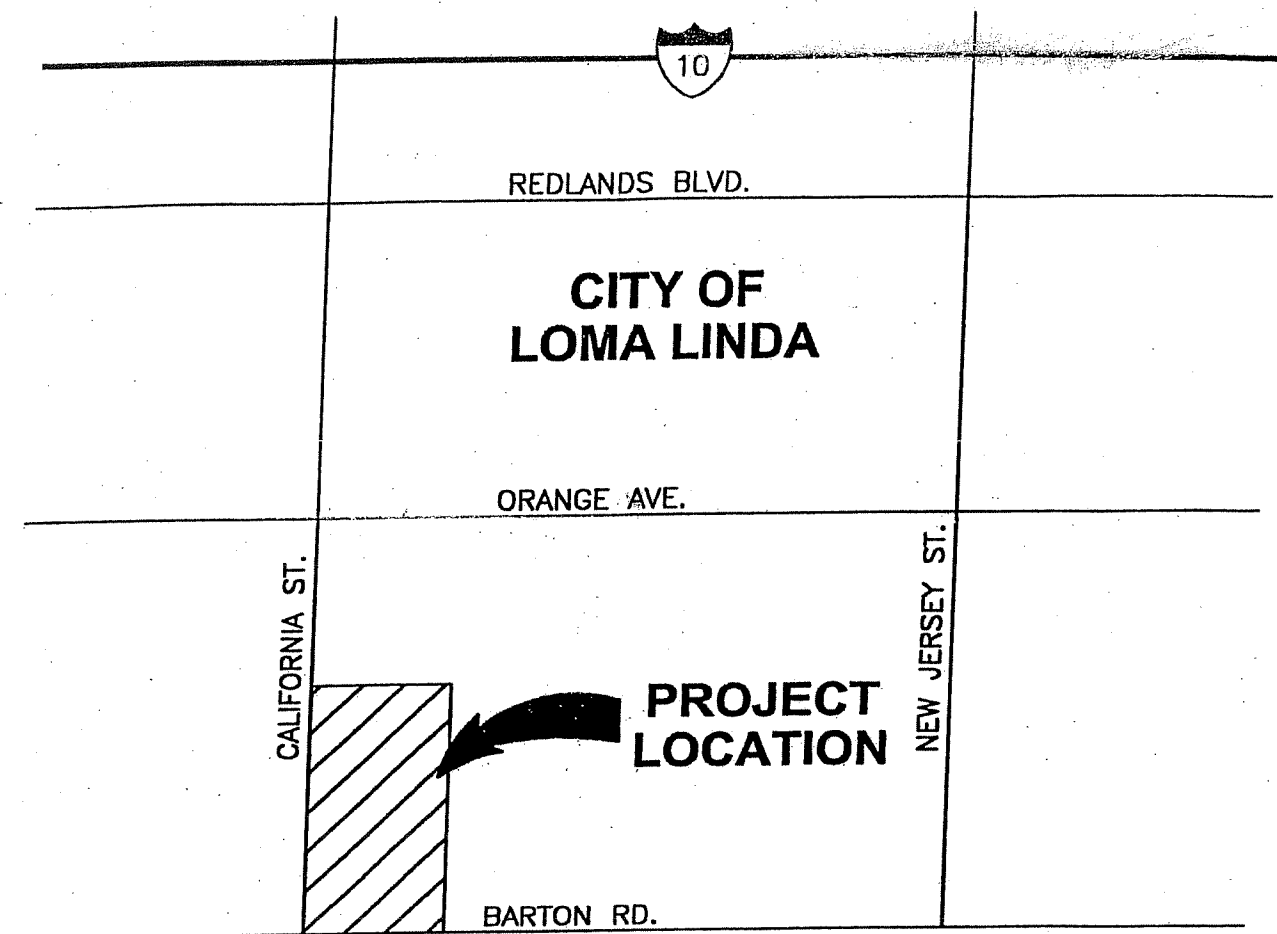
ATTACHMENTS

- A. Site Location Map
- B. Project Plans
- C. Conditions of Approval
- D. NOI and Initial Study
- E. Draft Ordinance

I:\Project Files\CUP\05-06 Arco-Haddad\PC 04-05-06 SR.doc

Attachment B.1

Vicinity Map



**Vicinity Map for DCA No. 06-01
and CUP No. 05-06**

Attachment B.2

Project Plans

Attachment B.3

Mitigated Negative Declaration

**CITY OF LOMA LINDA
NOTICE OF INTENT
TO ADOPT A MITIGATED NEGATIVE DECLARATION
OF ENVIRONMENTAL IMPACT**

FROM: CITY OF LOMA LINDA
Community Development Department
25541 Barton Road
Loma Linda, CA 92354

TO: ☐ OFFICE OF PLANNING AND RESEARCH
1400 Tenth Street, Room 121
Sacramento, CA 95814

☒ COUNTY CLERK
County of San Bernardino
385 North Arrowhead Avenue
San Bernardino, CA 92415

SUBJECT: Filing of Notice of Intent to adopt a Negative Declaration in compliance with Section 21080c of the Public Resources Code and Sections 15072 and 15073 of the CEQA Guidelines.

Project Title: ARCO AM/PM
(Conditional Use Permit No. 2005-0006)

State Clearinghouse Number (if submitted to Clearinghouse): N/A

Lead Agency Contact Person: Allan Penaflorida
Area Code/Telephone: 909-799-2830


Project Location (include county): The project is located at 26522 Barton Road, Loma Linda California 92354 on the northeast corner of Barton Road and California Avenue in the County of San Bernardino (APN 0292-162-06,07,14 and 15).

Project Description: A proposal to construct a new ARCO gasoline station with a 10-fuel dispenser; a 3,000 sq. ft. canopy, a 3,600 sq. ft. AM/PM convenience store, 980 sq. ft. automatic self-service carwash, three underground fuel storage tanks, a 3,000 sq. ft. fast food restaurant with drive-thru, and two separate retail store buildings (4,480 & 6,900 sq. ft).

This is to notify the public and interested parties of the City of Loma Linda's intent to adopt a Mitigated Negative Declaration for the above-referenced project. The mandatory public review period will begin on **Thursday, March 16, 2006**, and will end on **Tuesday, April 4, 2006**. The Initial Study is available for public review at the public counter in the Community Development Department, 25541 Barton Road, and the Loma Linda Library, 25581 Barton Road, east end of the Civic Center.

The proposed project and subject site are not listed in the California Hazardous Waste and Substances Site List (Cortese List) pursuant to Government Code Section 65962.5(E).

Following the public review period, the project and proposed Mitigated Negative Declaration will be reviewed by the City's **Planning Commission** in a public hearing on **Wednesday, April 5, 2006**, at 7:00 p.m. in the Council Chambers located of the main lobby of City Hall (address listed above).

Signature: 

Allan Penaflorida

Title: Planning Technician

Date: March 8, 2006

DATE FILED & POSTED

06 MAR 16 PM 4:45

CALIFORNIA

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

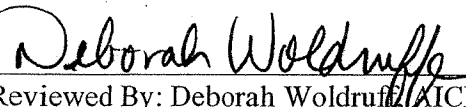
DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Prepared By: Allan Penaflorida, Planning Technician

03-15-06
Date


Reviewed By: Deborah Woldruff, AICP
Community Development Director

03-15-06
Date

CITY OF LOMA LINDA

Environmental Check List Form

1. Project Title: Development Code Amendment 06-01 and Conditional Use Permit No. 05-06
2. Lead Agency Name and Address: City of Loma Linda, 25541 Barton Road, Loma Linda, CA 92354
3. Contact Person and Phone Number: Allan Penaflorida, Planning Technician (909) 799-2839
4. Project Location: 26522 Barton Road, Loma Linda, California 92354
5. Project Sponsor's Name and Address: Ahd Haddad, 29848 Live Oak Canyon Road, Redlands, CA 92373
6. City General Plan Designation: Neighborhood Specialized Community
7. City Zoning: General Business (C-2)
8. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheet(s) if necessary.)
A request to amend the Loma Linda Municipal Code, Section 17.46.030(E), Conditional Uses to include provisions to allow the off-site sale of beer and wine in convenience stores without restriction to the floor area in the Commercial General (C-2) zone. The amendment is part of a project that requests to construct a new ARCO gasoline station with a 10-fuel dispenser, 3,000 square foot canopy, 3,600 square foot AM/PM convenience store, 980 square foot automatic self-service carwash, three underground fuel storage tanks, 3,000 square foot fast-food, drive-thru restaurant, and two separate retail store buildings (4,480 and 6,900 square feet, respectively). The 3.38-acre site is located at the northeast corner of Barton Road and California Street.
9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings.) Partially agricultural land to the north, new residential development and vacant land to the east, vacant land and the San Timoteo Channel to the south, commercial self-storage facility to the southwest, and vacant land to the west.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement): N/A

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analyses Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

FORM "J"

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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I. AESTHETICS. Would the project:

a) Have a substantial adverse effect on a scenic vista?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. According to the City's General Plan, the project site is not within a scenic vista/scenic highway view corridor. Nearby streets including local portions of Barton Road and California Street are not considered scenic routes. Additionally, the architectural style proposed for the project is consistent with the requirements of Historic Mission Overlay District and compatible with existing and future development. Therefore, no adverse effect on a scenic vista is anticipated.

b) Substantially damage scenic resources, including, but not limited to, tress, rock outcroppings, and historic buildings within a state scenic highway?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. The site is not located along nor within the view shed of a Scenic Route listed in the County or City General Plans or designated by the State of California. There are no remaining unique rock outcroppings, trees, and historic buildings on the project site.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. According to historic aerial photographs reviewed as part of a Cultural and Historic Resources Report, the project site was formerly developed with a packing house for the Mission Citrus Association Company. In its existing state, the site can generally be described as a rough-graded, vacant land. The area surrounding the site includes a church located to the northeast, scattered single-family residential and commercial development to the south, vacant land and developing residential tracts to the west, and a new residential development to the north and east. The project site occurs within the City's Historic Mission Overlay District. The design of the associated buildings reflect a mix of historical architectural styles as outlined in Chapter 17.82 of the Loma Linda Municipal Code. The proposed design will replicate area significant historical structures. Therefore, no significant impacts to the existing visual character of the Historical District would occur.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated with mitigation incorporated. The site's commercial land use designation and abutting residential land uses are permitted under the existing and draft General Plans. Impacts from light sources on the site could be potentially significant to adjacent residential development. As part of the building plan check process, the project applicant will be required to submit a photometric study and final lighting plan that shows the exact locations of light poles, orientation and shielding of the fixtures to prevent the emission of light and glare into adjacent and nearby residential developments. The following mitigation measure will ensure that the potential impacts related to light and glare are reduced to below a level of significance:

- ✓ As part of the building plan check process, the applicant shall submit a photometric study and final lighting plan to City staff that illustrates the exact locations of light poles, and the proposed orientation and shielding of the fixtures to prevent the emission of light and glare into adjacent and nearby residential developments.

II. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. There are currently no agricultural operations being conducted on the project site. However, the site is designated as prime farmland according to the San Bernardino County Important Farmlands Map (2002). The site itself was never used for farming but for supporting agricultural services such as a packing house, smudge pot fuel tanks, produce stand, farming equipment storage. Additionally, the City of Loma Linda has zoned the project site as General Business and the proposed General Plan and Zoning are Mixed Use. The development of this property will not conflict with the existing zoning for commercial use nor will it conflict with the Williamson Act contract. No significant adverse impacts are anticipated and no additional mitigation measures are proposed at this time.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. The project site is not zoned for agricultural uses and there are currently no agricultural operations being conducted or an Williamson Act contract on the subject property.

c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. There are currently no agricultural operations being conducted on the project site. The surrounding area, though rich in agricultural history, is in transition. While Citrus farming was prevalent at the turn of the century, it is no longer a viable economic use in the area. Many of the properties in the vicinity of this site have been approved for residential and commercial uses. The adjacent site to the east is currently being developed as a 296-unit high end apartments. Detached residential projects are currently under construction west of the project site. Additionally, California Street and Barton Road are two very active commercial corridors and the highest and best use of the land is no longer citrus farming.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. The proposed project is to construct a 3,600 square-foot ARCO gas station with 10 fuel dispensers, 980 square foot car wash, 3,000 square foot fast-food, drive-thru restaurant, 4,480 and 6,900 square foot retail buildings, respectively. The project site is within the South Coast Air Basin and under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD is responsible for updating the Air Quality Management Plan (AQMP). The AQMP was developed for the primary purpose of controlling emissions to maintain all federal and state ambient air standards for the district. Based on the findings on emissions generation in the URBEMIS 2002 program for a commercial/retail facility (Appendix A), the project would not significantly increase local air emissions and therefore would not conflict with or obstruct implementation of the plan.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? ☐ ☒ ☐ ☐

Less than significant impact is anticipated with mitigation incorporated. Construction emissions were screened and quantified using the URBEMIS 2002 (version 8.7.0) air emissions program. The model separates emissions estimated based on the phases of construction and the year in which the particular activity would transpire. The criteria pollutants screened for included: reactive organic gases (ROG), nitrous oxides (NO_x), carbon monoxide (CO), and particulates (PM₁₀). The emission levels listed reflect the estimated winter season levels, which are normally higher due to atmospheric conditions (marine layer) and increased use of heating systems. The general construction phases for most projects include site grading and building. URBEMIS 2002 calculates emissions assuming the two phases do not overlap. The project site was screened under its proposed land use of convenience market with service pumps. A copy of the URBEMIS air emissions report is included in Appendix A of the Initial Study. Table 1 lists daily estimated emissions for construction activities on-site. Table 2 lists the emissions summary vehicular operations on the project site.

In a letter dated July 6, 2005, the SCAQMD recommended measures to reduce ROG emissions. As discussed with SCAQMD, the measures are not quantifiable within the URBEMIS model. However, implementation of the recommendations would reduce ROG emissions to the greatest extent possible, and shall include the following:

- ✓ The contractor shall use coating and solvents with a volatile organic compound (VOC) content lower than required under Rule 1113.
- ✓ The developer/contractor shall use building materials that do not require painting.
- ✓ The developer/contractor shall use pre-painted construction materials where feasible.

These measures would reduce impacts to the extent feasible, but not reduce temporary construction related ROG emissions below the threshold of significance.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. The project is not anticipated to violate any air quality standard or contribute substantially to an existing or project air quality violation. The project is located within the City of Loma Linda, which is part of the South Coast Air Basin (SCAB). The SCAB is under regulatory authority of threshold for activities within the SCAB. When a project exceeds the threshold for a particular contaminant it is considered to have a significant impact on air quality for the region. A significant impact on air quality may also occur if the project does not comply with the air quality management plan, or if it impacts, though not significant, have a cumulative significant effect. San Bernardino County often exceeds the State and Federal air quality standards for Ozone (O₃) and Particulate Matter (PM¹⁰), and combined with the western portion of the South Coast Air Basin's pollutants, which are transported from the onshore wind patterns, the County's most serious violations are during the summer months (San Bernardino County General Plan, II-C3-1). The proposed project is not anticipated to exceed the current air quality management plan parameters and shall comply with the requirements and policies of the City's existing and draft General Plans. The project proposes to introduce less than significant adverse impacts as related to air quality.

d) Expose sensitive receptors to substantial pollutant concentrations?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. The nearest school from this project site is the Mission Elementary School (at approximately three quarters [3/4] of a mile). There are a couple of churches within a several miles of the project site. The Loma Linda Filipino Seventh Day Adventist Church is located approximately 600 feet northeast of the project site. And the Loma Linda Thai Seventh Day Adventist is also located approximately three quarters (3/4) of mile from the project site. However, the project will not expose any sensitive receptors to substantial pollutant concentrations. There will be a temporary increase in air quality impacts during construction. The proposed project will comply with the policies and requirements of the Loma Linda Draft General Plan and existing General Plan. The intended project proposes to introduce less than significant adverse impact potentials with relation to this issue.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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e) Create objectionable odors affecting a substantial number of people?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact anticipated. This project is not anticipated to create objectionable odors affecting a substantial number of people. Although a potential for these odors may occur during the dispensing of fuel, mitigations such as the use of rubber fuel pump boots to screen the fuel and avoid spillage will facilitate a reduction of these negative impacts. Any objectionable odors created by the project would be less than significant short-term construction impacts. Objectionable odors during construction may include fumes from construction equipment and building materials. The proposed project will comply with the policies and requirements of the Draft and existing Loma Linda General Plans.

IV. BIOLOGICAL RESOURCES. Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. Critical habitat identifies specific areas that are essential to the conservation of a listed species and, with respect to areas within the geographic range occupied by the species. As shown on Figure 4.4.2 in the Draft EIR prepared for the General Plan Update Project, the project site does not occur within the proposed critical habitat for the California gnatcatcher, or any other listed species. According to Figure 4.4.1 within the EIR, the project site is classified as Developed, and is cleared of vegetation or otherwise significantly disturbed by machinery.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. According to Figure 4.4.1 in the Draft EIR prepared for the General Plan Update Project, no riparian habitat occurs on or near the project site. Therefore, the project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service because the project site has been previously graded and is in a disturbed state.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. This project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means, because the project is not within an identified protected wetland, or near any drainage. The Zanja, an historic irrigation ditch, is presumed to run along the northern boundary of the site. The location was extrapolated from depressions in the earth depicted in historical aerial photos. However, the Zanja is no longer a water feature that would affect a habitat.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project is located in a semi-rural pocket that is rapidly urbanizing and the surrounding area is already urbanized. It is unlikely that any historic migratory corridors used by wildlife still exist on the project site or in the immediate vicinity. For similar reasons, it is unlikely that any native wildlife nursery sites existing on-site or in the area.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. This project would not conflict with any local policies or ordinances that protect biological resources, as the site has been previously disturbed and there are no identified biological resources that are subject to such regulation.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. This project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, because no such plan has been adopted for the project site or surrounding area.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less than significant impact anticipated with mitigation incorporated. The Mill Creek Zanja is recorded as CA-SBR-8092H within the California Historical Resources Information System located at the Archaeological Information Center, San Bernardino County Museum, and is listed in the California Register of Historical Resources. Additionally, the Mill Creek Zanja is recognized as California Historical Landmark No. 43 and is designated as Engineering Landmark No. 21 by the Los Angeles Section of the American Society of Civil Engineers. The portion of the Zanja from Sylvan Park in Redlands upstream to its intake at Mill Creek is listed within the National Register of Historic Places as NRHP-L-77-329.

In accordance with Chapter 17.82 of the Loma Linda Municipal Code (LLMC), a project-specific cultural resource study was prepared for the site. The survey was performed to determine the precise location of the Zanja within the northern property boundary, and to evaluate the significance of the resource based on CEQA criteria for listing in the California Register of Historic Resources database. The report, The Zanja on Barton Road - Location and Evaluation of CA-SBR-8092H, supplements a previous cultural resources survey prepared in 1989 by Research Associates for the site.

The survey determined that the Zanja was found to generally follow the northern property line as suggested by the archival review, and that the Zanja segment along Barton Road meets the criteria for listing on the California Register and therefore, should be considered a historical resource. Similarly, the Zanja meets all of the criteria for consideration as a unique archeological resource.

Implementation of the following mitigation measures would ensure potential impacts are reduced to a less than significant level:

- A qualified archaeologist shall be present during site grading to monitor for the potential occurrence of any unrecorded archaeological materials of Native American and Euro-American origin.
- At a minimum of 30 days prior to any grading, the City shall notify the tribal councils of the San Manuel and Morongo Bands of proposed grading activities, and arrange for Native American participation if requested by the tribal councils.

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Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- The proposed Zanja Trail should be at least 15 – 20 feet wide and should not disturb areas at depths more than four feet below the current ground surface. Since the centerline of the Zanja generally runs along the northern property line, the portion of the Zanja corridor that would be constructed on the project site shall be 10 feet wide and shall be landscaped using native Californian tree and plant species.
- The floor area of the buildings shall incorporate historical information (i.e., pictures, murals, artifacts) for cultural groups and historical periods represented in the project area into the design of displays and other interpretive material.

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

☐ ☒ ☐ ☐

Less than significant impact anticipated with mitigation incorporated. According to Figure 4.5.1 of the Draft EIR prepared for the General Plan Update Project, the project site occurs within an area that has undetermined potential for paleontological resources. Because it is unknown whether resources occur within the area, necessary precautions should be taken to ensure impacts are minimized. Implementation of the following mitigation measure would reduce impacts to potentially occurring resources to a less than significant level:

- ✓ Prior to grading, a field survey to determine the potential for significant nonrenewable paleontological resources shall be conducted on-site by a qualified vertebrate paleontologist. This professional will be able to find, determine the significance, and make recommendations for appropriate mitigation measures within the guidelines of the California Environmental Quality Act and/or the federal National Environmental Policy Act.

c) Disturb any human remains, including those interred outside of formal cemeteries?

☐ ☒ ☐ ☐

Less than significant impact anticipated with mitigation incorporated. Construction activities, particularly grading, soil excavation and compaction, could adversely affect or eliminate existing and potential archaeological resources and/or human remains. The following mitigation measures shall be implemented:

- ✓ In the event that human remains are encountered during grading, all provisions of state law requiring notification of the County Coroner, contacting the Native American Heritage Commission, and consultation with the most likely descendant, shall be followed.

VI. GEOLOGY AND SOILS. – Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. The Draft General Plan (October 2005) indicates that the project site is not located within a special studies (Alquist-Priolo) zone and, therefore, does not require a geologic study to mitigate this naturally occurring hazard throughout Southern California. The new construction may expose the public to geologic hazards such as earthquakes that occur from time to time in the Southern California area. The closest mapped fault is the Loma Linda Fault that lies a little over one (1) mile west of the project site. Southern California is a seismically active region; however, required safety provisions identified in the California Building Code will reduce potential ground shaking hazards to a level below significance. The project site is not within an area that is be susceptible to the effects of liquefaction. With proper construction methods and development standards as defined in the California Building Code and the latest adopted building regulations, the potential for structural damages will be mitigated.

Source: General Plan Update Project Draft EIR, Geology and Soils, Figure 4.6.1

ii) Strong seismic ground shaking?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. Loma Linda, like most cities in California, is located in a seismically active region. It can be expected, therefore, that the project area may experience strong seismic ground shaking at some point in time. All construction on the site shall conform to the requirements of the California Building Code and be designed to mitigate anticipated ground shaking.

Source: Draft General Plan (October 2005), Safety Element

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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iii) Seismic-related ground failure, including liquefaction?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. Liquefaction occurs primarily in saturated, loose, fine to medium grained soils in areas where the groundwater table is within 50 feet of the surface. According to the General Plan Update Project, Draft EIR, moderate to moderately high susceptibility for liquefaction hazards occurs in the northwestern portion of the City and the southern portion of the City near Reche Canyon. The project site is located within the central easternmost portion of the City, and as shown on Figure 4.6.2 of the General Plan Update Project, Draft EIR, does not occur within a liquefaction hazard zone.

Source: General Plan Update Project, Draft EIR, Geology and Soils, Figure 4.6.2

iv) Landslides?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. The project site is relatively flat. Therefore, there is no potential for landslides.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) Result in substantial soil erosion or the loss of topsoil?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact anticipated. The State of California is authorized to administer various aspects of the National Pollution Discharge Elimination System (NPDES). Construction activities covered under the State's General Construction permit include removal of vegetation, grading, excavation, or any other activity that causes the disturbance of one acre or more. The General Construction permit requires developments of one acre or more to reduce or eliminate non-storm water discharges into storm water systems, and to develop and implement a Storm Water Pollution Prevention Plan (SWPPP). The Regional Water Quality Control Board (RWQCB), Santa Ana Region has issued an area-wide NPDES Storm Water Permit for the County of San Bernardino, the San Bernardino County Flood Control District, and the incorporated cities of San Bernardino County within the Santa Ana Region. The City of Loma Linda then requires implementation of measures for a project to comply with the area-wide permit requirements. The SWPPP would include Best Management Practices (BMP) to prevent construction of the project to pollute surface waters. This is a standard condition of approval applicable to this project. BMP's would include, but would not be limited to street sweeping of adjacent roads during construction, and the use of hay bales or sand bags to control erosion during the rainy season.

Compliance with the NPDES permit requirements and implementation of a SWPPP would protect the site from the loss of topsoil and off-site sedimentation. No further mitigation is required.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. All construction on the site shall conform to the requirements of the California Building Code and be designed to mitigate anticipated ground shaking. The project will be over excavated and re-compacted to the Soils Engineer's specification in order to provide stable ground support. With regard to any potential impacts from liquefaction, refer to the response for question a) iii), above.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. Expansive soils have significant amount of clay particles, which can give up water (shrink) or take in water (swell). The change in volume exerts stress on buildings and other loads placed on these soils. The occurrence of these solids is often associated with geologic units having marginal stability. Soils within the planning area exhibit a low shrink-swell potential.

Source: General Plan Update Project, Draft EIR, Geology and Soils.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. The proposed development would connect to, and be served by, the City's existing sewer system for wastewater disposal. The existing sewer system ends just west of the site near New Jersey Street and the proposed development would be required to connect to the main. No septic tanks or alternative wastewater disposal is permitted or proposed.

VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. The proposed project is to construct a 3,600 square-foot ARCO gas station with 10 fuel dispensers, 980 square-foot car wash, 3,000 square-foot fast-food, drive-thru restaurant, 4,480 square-foot and 6,900 square-foot retail buildings. Any hazardous materials will be transported, stored, dispensed and disposed per state regulations. Therefore, the project will create less than significant hazard to the public or environment.

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Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. The proposed project will not create a hazard to the public or environment, and any hazardous materials will be contained and disposed per state regulations. The project will be required to file a business plan with the Fire Department to address upset and accident conditions relating to the release of fuels, petroleum products and/or solvents.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. The closest school is the Mission School which is currently closed. Two new schools are proposed approximately three-quarters (3/4) of a mile northwest of the project site. The joint school site is part of University Village and Orchard Park Specific Plan Areas, which allow institutional uses under the Mixed Use General Plan land use designation and Planned Community (PC) zoning. The proposed project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substance or waste within one-quarter mile of an existing or proposed school.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated with mitigation incorporated. City records indicates that on December 9, 2004 a demolition permit was issued for removal of the structures on the project site due to general dilapidation, potential fire hazards, and overall public health and safety concerns. At that time, a permit was issued to remove the dangerous structures, flammable liquids, and fuel tanks, on the site. Documentation of a soil test has been provided with no significant impacts cited. However, the appropriate certification or participation of other lead or responsible agencies relating to site remediation have not been substantiated. Recent visits to the site did not reveal the presence of hazardous materials (e.g. drums, illegal dumping).

Based on a review of environmental records, past agricultural activities, and a recent site visit, construction/operation of the proposed project would not disturb any hazardous materials known to occur on-site. Furthermore, Section 10.5.2 of the Loma Linda Draft General Plan sites guiding policies that minimize the negative impacts with storage, use, generation, transport and disposal of hazardous material.

Implementation of the following mitigation measure would ensure potential impacts are reduced to a less than significant level:

- Supporting documents that detail the participation of other lead or responsible agencies or lack thereof must be submitted to the City and authenticated prior to the approval of the project.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. This project is not located within two miles of a public airport or public use airport (the San Bernardino International Airport is located approximately four and one half [4.5] miles to the north).

Source: General Plan Update Project, Draft EIR, Figure 10.4 Airport Influence Area

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See response e).

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. The California Emergency Services Act requires the City to manage and coordinate the overall emergency and recovery activities within its jurisdictional boundaries. The City's Emergency Operations Plan includes policies and procedures to be administered by the City in the event of a disaster. During disasters, the City of Loma Linda is required to coordinate emergency operations with the County of San Bernardino. Policies within the City's General Plan including updates to the City's Emergency Plan, as required by State law, would ensure the proposed project would not interfere with adopted policies and procedures. The project site would include three access points: one from Barton Road, one from California Street and the other from the currently undeveloped parcel east of the project site. Review of proposed site plans by the City Engineer would ensure adequate access (e.g. widths, turning radius) is provided at the site.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. The site is not located within a designated Fire Hazard Overlay District and has no history of wildland conflagration.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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VIII. HYDROLOGY AND WATER QUALITY. Would the project:

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a) Violate any water quality standards or waste discharge requirements? **This response applies to a) and f)**

Less than significant impact anticipated with mitigation incorporated. The proposed project would disturb approximately 4.0 acres and is therefore subject to the National Pollution Discharge Elimination System (NPDES) permit requirements. The State of California is authorized to administer various aspects of the NPDES. Construction activities covered under the State's General Construction permit include removal of vegetation, grading, excavating, or any other activity that causes the disturbance of one acre or more. The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into storm water systems, and to develop and implement a Storm Water Pollution Prevention Plan (SWPPP).

The RWQCB has issued an area-wide NPDES Storm Water Permit for the County of San Bernardino, the San Bernardino County Flood Control District, and the incorporated cities of San Bernardino County. The City of Loma Linda then requires implementation of measures for a project to comply with the area-wide permit requirements. A SWPPP is based on the principles of Best Management Practices (BMP) to control and abate pollutants. The SWPPP must include BMPs to prevent construction of the project from polluting surface waters. These would include, but are not limited to street sweeping of paved roads around the site during construction, and the use of hay bales or sand bags to control erosion during the rainy season. BMPs may also include or require:

- **The contractor to avoid applying materials during periods of rainfall and protect freshly applied materials from runoff until dry.**
- **All waste to be disposed of in accordance with local, state and federal regulations. The contractor to contract with a local waste hauler or ensure that waste containers are emptied weekly. Waste containers cannot be washed out on-site.**
- **All equipment and vehicles to be serviced off-site.**

Implementation of the following mitigation measure would reduce the potential for stormwater discharges during grading and construction:

✓ **Prior to issuance of grading permits, the applicant shall submit to the City Engineer a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Dischargers Identification Number) shall be submitted to the City Engineer for coverage under the NPDES General Construction Permit.**

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact anticipated. The proposed project is not anticipated to substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. The project is a request to construct a 3,600 square-foot ARCO gas station with 10 fuel dispensers, 980 square-foot car wash, 3,000 square-foot drive-thru fast food restaurant, 4,480 square-foot and 6,900 square-foot retail buildings. The City of Loma Linda provides water from its own six production wells. The main water source for the City is the Bunker Hill Basin and the City will supply water for the project.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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This response applies to c) and d).

Less than significant impact is anticipated. The proposed project would cause changes in absorption rates, drainage patterns, and the rate and amount of surface water runoff due to the amount of new building and hardscape proposed on site; however, the project will not alter the course of any stream or river. All runoff would be conveyed outside the project site and towards California Street, which has been designed to handle the flows with new improvements. The project design includes landscaping of all non-hardscape areas to prevent erosion. The Building Official and City Engineer must approve a grading and drainage plan prior to the issuance of grading permits. Review and approval of the drainage plan would ensure the project would not result in substantial erosion, siltation, or flooding on- or off-site.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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See response c).

e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. The proposed project would cause changes in absorption rates, drainage patterns, and the rate and amount of surface water runoff due to the amount of new building and hardscape proposed on site; however, the project will not alter the course of any stream or river. All runoff would be conveyed outside the project site and towards California Street, which has been designed to handle the flows with improvements. The project design includes landscaping of all non-hardscape areas to prevent erosion. The Building Official and City Engineer must approve a grading and drainage plan prior to the issuance of grading permits. Review and approval of the drainage plan would ensure the project would not result in substantial erosion, siltation, or flooding on- or off-site. The City's storm water drainage system is adequate to handle the run-off from this site.

f) Otherwise substantially degrade water quality?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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See response a).

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? This response applies to g) and h).

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. The project is located within the regional watershed known as San Timoteo Canyon. The primary drainage course is San Timoteo Creek, a major regional flood control channel. The City of Loma Linda General Plan Housing Element (1986) and the Federal Emergency Management Agency's Flood Insurance Rate Map (1996) identify the project site as lying within a 100-year floodplain. The US Army Corps of Engineers and the San Bernardino County Flood Control District have improved the creek to a concrete lined trapezoidal channel. These improvements were built to about ¼ mile upstream from the project and construction to extend improvements farther upstream have commenced this year. As a result of the improvements, the Federal Emergency Management Agency (FEMA) issued a letter on June 27, 2001, that revises the project area's floodplain rating to a Zone A99. The Zone A99 designation is an interim designation that is used for areas that are protected from the base flood due to a Federal flood-protection system that is under construction. A new floodplain map will be prepared after the U.S. Army Corps of Engineers has certified the improvements to the San Timoteo Creek. The proposed project will not impede or redirect flood flow. The proposed project will comply with the policies and requirements of the Draft and existing Loma Linda General Plan.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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See response g).

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. There are no levees or dams near the project site.

j) Inundation by seiche, tsunami, or mudflow?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. The nearest area prone to seiche and tsunami is approximately 65 miles west from the project site.

FORM "J"

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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IX. LAND USE AND PLANNING. Would the project:

- a) Physically divide an established community?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. The project site was once farmed for citrus and vineyards but the site has been cleared of all citrus trees and vines. The surrounding properties were also once citrus ranches but now only a few are left in the surrounding area. A new 296 unit apartment complex adjacent to the project site is currently under construction. Furthermore, the project is a commercial site intended to provide goods and services to the surrounding residential community and motoring public. The proposed project will comply with the policies and requirements of the Draft and existing Loma Linda General Plan.

- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. The existing General Plan and Zoning is Neighborhood Specialized Community and General Business (C-2), respectively. These land use designations allow commercial and retail uses. Under the current zoning designation the sale of alcohol is strictly limited to sites with at least 30,000 square feet of floor area. However, a development code amendment (DCA 06-01) which proposes to eliminate the restrictions due to floor area is being proposed for the project. Under the proposed amendment sales of beer, wine or other alcoholic beverages from the same location as gasoline and other motor vehicle fuel sales may be permitted under the following conditions:

- a. Such sales must be offered only in conjunction with the secondary retail sale of food, groceries and sundries in which not less than fifty (50) percent by value of the retail sales of all products, other than gasoline and other motor vehicle fuels, comprises sales of products other than beer, wine or other alcoholic beverages.

Peripheral negative impacts may exist due to the sale of alcohol, however, a direct impact may be only defined within the legal confines of the law. The consumption of alcohol will be done off-site and the sale of such beverage items will be to those of legal age only (21 years old). In defense, the proposed project, regardless of alcohol sales will increase the range of service available to the surrounding residential neighborhoods. The proposed project also complies with the policies and requirements of the existing and draft General Plans.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No impact is anticipated. It is not anticipated that this project will conflict with any conservation plan or natural community conservation plan. The property is not located in any special environmental settings or impact zones (e.g. wetlands, endangered species, or natural habitats) and thus no impact is expected. The proposed project will comply with the policies and requirements of the existing and draft General Plans.

X. MINERAL RESOURCES. Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? This response applies to both a) and b).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. It is not anticipated that the proposed project would result in the loss of available known mineral resources that would be of value to the residence of the state. As stated in the existing General Plan, the planning area has no known significant mineral deposits or geothermal resources.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See response a).

XI. NOISE. Would the project result in:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? This response applies to both a) and b).

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. The proposed project is to construct a 3,600 square-foot ARCO gas station with 10 fuel dispensers, 980 square-foot car wash, 3,000 square-foot drive-thru, fast-food restaurant, 4,480 square-foot and 6,900 square-foot retail buildings. The project is located approximately three quarters of a mile ¾ from an existing school (Mission Elementary School) and is adjacent to a 296-unit high end apartment complex (Barton Vineyards). However, The apartments initiated an acoustical analysis and the site and buildings were mitigated the noise from Barton Road and California Street. Furthermore, the project will not expose persons to, or generate, noise levels in excess of standards established in the existing or draft General Plans, noise ordinance, or applicable standards of other agencies. Additionally, this project will not approach or exceed the Noise Abatement Criteria (NAC) level. Some incremental increase in noise levels will occur during construction, as well as some ground-borne vibrations, but this is anticipated with any construction. However, compliance with the City's construction hours of 7:00 a.m. to 7:00 p.m. will reduce the noise impacts during nighttime hours to an acceptable level as determined by adopted code.

Source: General Plan Update Project, Draft EIR, 4.11 Noise.

b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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See response a).

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? **This response applies to both c) and d).**

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. The project will generate some noise, including noise from traffic. However, the noise generated will be less than significant. Compliance with the City's construction hours of 7:00 a.m. to 7:00 p.m. will reduce the noise impacts during nighttime hours to an acceptable level as determined by adopted code. Additionally, the construction of the site perimeter walls and the adjacent six-foot block wall for the bordering residential project will further reduce the permanent noise impacts.

Source: City of Loma Linda General Plan Update, 4.11 Noise.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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See response c).

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? **This response applies to both e) and f).**

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. This project is not located within two miles of a public airport or public use airport or is within the vicinity of a private airstrip (the San Bernardino International Airport is located approximately four and one half [4.5] miles to the north).

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See response e).

XII. POPULATION AND HOUSING. Would the project:

FORM "J"

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. According to Table 4.12 F of the City's General Plan EIR, the City's projected population, housing and employment levels upon build out would be less than the SCAG projections for the year 2025. The project is projected to produce around 20 jobs for the developed site which is not a substantial number nor will it be growth inducing. However, the project will provide local jobs and necessary neighborhood commercial services. The proposed project would be consistent with the General Plan, and therefore would not induce substantial population growth in an area, either directly or indirectly.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. The proposed project would not displace any existing housing units, because no housing units are proposed to be demolished to accommodate the proposed project.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. The proposed project would not displace any people, or necessitate the construction of replacement housing elsewhere, because the project will not displace any existing housing or existing residents.

XIII. PUBLIC SERVICES. Would the project:

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Fire protection?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact anticipated with mitigation incorporated. The City of Loma Linda, Fire Department, Fire and Rescue Division would provide fire protection for the project. Fire Station 251 serves the City and is located at 11325 Loma Linda Drive. The Community Development Department and the Fire Department enforce fire code standards during review of building plans and inspections. The City maintains a joint response/automatic aid agreement with the fire departments in neighboring cities including Colton, Redlands, and San Bernardino. The Fire Department also participates in the California Master Mutual Aid Agreement. The proposed structures would be required to comply with City fire suppression standards including building sprinklers and adequate fire access. Due to the size and scope of the project, the Fire and rescue services can be provided by the Fire Department without new fire facilities or expanded and improved existing fire facilities. Implementation of the following mitigation measure would ensure that the proposed project would not create a fire hazard or endanger the surrounding area.

- The developer shall submit a Utility Improvement Plan showing the location of fire hydrants for review and approval by the Fire Department.

Police protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. The proposed project would not result in additional need for police protection services beyond that anticipated within the general community.

Schools?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. The proposed project would not result in an additional need for schools. The project will be required to pay the commercial rate school impact fees to mitigate any potential impacts to school facilities.

Parks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. The proposed project would not result in an additional need for parks. The project will be required to pay open space development impact fees.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Other public facilities?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Less than significant impact anticipated. Development of the site would incrementally increase traffic on adjacent streets (see Section 15 Transportation/Traffic). In accordance with the City requirements, the applicant shall pay appropriate development impact fees as adopted by the City Council.

XIV. RECREATION. Would the project:

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? This response applies to both a) and b).

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. The project is commercially based and will be providing necessary commercial retail and services to the surrounding neighborhood and motoring public. Therefore, the project will not increase the use of existing neighborhood and regional parks and other recreational facilities.

The project will not include recreational facilities other than the extension of the Zanja Trail across the north end of the site. It is possible that persons eating at the future restaurant(s) on the site could be using the trail and stopping along the way to eat or buy drinks/snacks or use the restrooms. This would only benefit the uses on-site and also benefit the community because the availability of these services along the trail makes it more usable for the public. However, the project itself does not provide substantial recreational facilities or require the construction or expansion of such facilities to the detriment of the environment.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See response a).

XV. TRANSPORTATION/TRAFFIC. Would the project:

FORM "J"

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? This response applies to both a) and b).

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. The City of Loma Linda and the City of Redlands have determined that the alignment of California Street and Redlands Boulevard is necessary to elevate the current traffic condition and to accommodate additional traffic from new development. In addition the City of Loma Linda has a preferred alternative plan to realign Mission Road and extend Orange Avenue to the west connecting with Mission Road. This would elevate the current and future traffic impacts of the Mission Road and California intersection due to its proximity to the Barton Road and California Street intersection.

The proposed project will generate approximately 330 trip generations during weekday peak hours of operation according to the Trip Generation manual for the Institute of Transportation Engineers (1991), this will reduce the Level of Service (LOS) to D from the current Level of Service (C). However, the proposed improvements to the Barton Road and California Street intersection as well as the possible widening of California street adjacent to the project site and the collection of fair share cost (at \$5.57 per square feet) will facilitate the upgrade in the Level of Service (LOS) to current levels. The intended project proposes to introduce less than significant adverse impact potentials with relation to this issue.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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See response a).

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. The project is not growth inducing in that it will not increase the population in the local area and therefore will not increase air traffic levels. In addition, according to Figure 10.4 (Airport Influence Area), the project is not in close proximity to an existing airport and will not result in a change in air traffic patterns.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. The project is designed to address traffic safety in proximity to the site and the points of ingress/egress will be designed to meet City standards. The points of ingress/egress will be located away from the intersection. Additionally, the site is located in a commercial land use designation zone and gasoline stations in which fast-food drive-thru restaurants are conditionally permitted. The project will provide much needed commercial retail and services to the surrounding neighborhood and motoring public. Implementation of the Conditions of Approval will ensure that the proposed uses will be compatible with the surrounding uses.

e) Result in inadequate emergency access?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. The project has been reviewed by the Fire and Sheriff's Departments. An emphasis on public safety, and the design ensures that emergency access to the site is adequate. Therefore, the project will not result in inadequate emergency access.

f) Result in inadequate parking capacity?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. The project is consistent with Chapter 17.24 (Parking Regulations) of the Loma Linda Municipal Code and is in compliance with the existing and draft Loma Linda General Plan. A total of 55 spaces are required for the project and a total of 90 spaces are proposed. Therefore, the project will not result in inadequate parking capacity and will be designed to meet the parking requirements of the site.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. An existing bus stop is located along the south side of Barton Road southwest of the project site. Traffic ingress/egress would occur over 150 feet east of the bus stop, a sufficient distance, which would ensure project traffic would not interfere with bus patrons. In addition, due to the proximity of proposed Zanja Trail system and adjacent bicycle lanes, the project will be conditioned to provide bike racks at strategic locations throughout the site. No impact would result.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact anticipated. The proposed project is not anticipated to cause or contribute to a violation of wastewater treatment requirements of the Regional Water Quality Control Board. Implementing best management practices and policies of the city regarding wastewater would protect water quality and would not cause the violation of waste discharge requirements. The City of San Bernardino has reviewed the project and would provide sewer capacity at the existing wastewater treatment plant..

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. The development of the project site would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. The waste from Loma Linda sewer is transported to the San Bernardino treatment plants. The San Bernardino treatment plants will be able to accommodate the project. There are no sewer lines at Mission and Barton Road so sewer lines will have to be installed where necessary. The proposed project will comply with the policies and requirements of the Draft and existing Loma Linda General Plan.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact anticipated. The development of the Barton Vineyard project is not anticipated to require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact anticipated. The proposed project is not anticipated to substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. The project is a request to construct a 3,600 sq. ft. ARCO gas station with 10 fuel dispensers, 980 sq. ft. car wash, 3,000 sq. ft. drive-thru fast food restaurant, 4,480 sq. ft. and 6,900 sq. ft. retail buildings. The City of Loma Linda provides water from its own six production wells. The main water source for the City is the Bunker Hill Basin.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No impact is anticipated. The development of the project is not anticipated to result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. The waste from Loma Linda sewer is transported to the San Bernardino treatment plants. The San Bernardino treatment plants will be able to accommodate the project. There are no sewer lines at Mission and Barton Road so sewer lines will have to be installed where necessary. The proposed project will comply with the policies and requirements of the Draft and existing Loma Linda General Plan.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact is anticipated. Solid Waste disposal service for the project site is currently provided by Waste Management of the Inland Empire. The refuse from the project area would be transported to the El Sobrante Landfill, the Badlands Landfill, or the Lamb Canyon Landfill. The proposed project will comply with the policies and requirements of the Draft and existing Loma Linda General Plan.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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g) Comply with federal, state, and local statutes and regulations related to solid waste?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No impact is anticipated. Waste Management will service the project for solid waste disposal and recycling program. By implementing the recycling and hazardous waste programs the City will help ensure that the waste stream directed to local landfills is reduced. These accommodations for solid waste will comply with all state, federal and local regulations in regards to solid waste disposal.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact anticipated. The proposed project is not anticipated to degrade the quality of the environment. The project site is currently highly disturbed and should not impact any sensitive species. The project site lacks native vegetation, populations of sensitive plant or animal species, and habitats suitable for such species. The loss of this vegetation will not significantly reduce the habitat of plant or wildlife species. The site is located within an area of known cultural and historical significance, however mitigation measures included in this Initial Study will reduce the project impacts to less than significant levels.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Less than significant impacts anticipated with mitigation incorporated. The General Plan Draft EIR was prepared to determine if any significant adverse environmental effects would result with implementation of the proposed General Plan. The Draft EIR concluded that the General Plan would result in unavoidable significant impacts to air quality, biological resources, water supply, traffic and circulation and open space. Mitigation measures were adopted for each of these resources; however they would not reduce impacts to less than significant levels. As such, the City plans on adopting a statement of overriding consideration to balance the benefits of development under the General Plan update against the significant unavoidable adverse impacts (CEQA Guidelines Section 15092 and 15096(h)). Upon adoption of findings and statements of overriding consideration, no further discussion or evaluation of cumulative impacts is required.

c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact anticipated with mitigation incorporated. Several of the potential impacts identified in this Initial Study potentially have cumulatively considerable increment effects, which could degrade the quality of the environment if they were not avoided or sufficiently mitigated. Mitigation measures have been proposed and implementation of these mitigation measures should provide safeguards to prevent potentially significant cumulative impacts.

d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Less than significant impact anticipated with mitigation incorporated. Several of the potential impacts identified in this Initial Study could degrade the quality of the environment if they are not avoided or sufficiently mitigated. Project impacts which can be sufficiently mitigated to a less than significant level include cultural resources, hydrology, traffic, aesthetics, and air quality. Implementation of the proposed mitigation measures will ensure that the project's effects will remain at a level that is less than significant.

SUMMARY DISCUSSION

The City has concluded, based upon the analysis herein, that the proposed 3,600 sq. ft. ARCO gas station with 10 fuel dispensers, 980 sq. ft. car wash, 3,000 sq. ft. drive-thru fast food restaurant, 4,480 sq. ft. and 6,900 sq. ft. retail buildings. will have a "less than significant impact with mitigations".

ATTACHMENTS

Appendix A – URBEMIS Emissions Summary

REFERENCES

City of Loma Linda Draft General Plan, LSA Associates, October 2004

City of Loma Linda General Plan Draft Program Environmental Impact Report, LSA Associates, March 2004

City of Loma Linda Zoning Map

City of Loma Linda Municipal Code

California Government Code

Flood Insurance Rate Map of San Bernardino County and Incorporated Areas, Map No. 06071C8692F (effective June 27, 2001).

Cultural Resources Report CRM TECH (2005)

Trip Generation, Institute of Transportation Engineers (1991)

San Bernardino County Important Farmlands Map (2002)

California Environmental Quality Act (CEQA) Deskbook (1999)

APPENDIX A

Table 1
URBEMIS 2002 (Version 8.7.0)
Construction Emissions
(Pounds per Day)

Source	ROG	NOx	CO	PM10
Year 2005				
Worker Trips	0.01	0.01	0.24	0
Arch Coatings Off-Gas	3.36	-	-	-
Arch C. Worker Trips	0.01	0.01	0.24	0
Totals (lbs/day)	3.38	0.02	0.48	0
SCAQMD Threshold	75	100	550	150
Significant?	No	No	No	No

Table 2
URBEMIS 2002 (Version 8.7.0)
Unmitigated Operations Emissions Summary
(Pounds per Day)

Source	ROG	NOx	CO	PM10
Area Source Emission	0.28	0.03	1.58	0.01
Mobile Source Emission	6.57	9.01	95.37	7.55
Totals (lbs/day)	6.85	9.04	96.94	7.56
SCAQMD Thresholds	55	55	550	150
Significant?	No	No	No	No

Attachment B.4
Conditions of Approval

CONDITIONS OF APPROVAL
Development Code Amendment (DCA) No. 06-01 and Conditional Use Permit
(CUP) No. 05-06
April 5, 2006

COMMUNITY DEVELOPMENT DEPARTMENT

General

1. Within one year of this approval, the Conditional Use Permit shall be exercised by substantial construction or the permit/approval shall become null and void. In addition, if after commencement of construction, work is discontinued for a period of one year, the permit/approval shall become null and void.

PROJECT:

Development Code
Amendment (DCA) No. 06-01

EXPIRATION DATE:

April 5, 2007 (***or one year from
City Council approval date***)

Conditional Use Permit (CUP) No. 05-06

April 5, 2007 (***or one year from
City Council approval date***)

2. The review authority may, upon application being filed 30 days prior to the expiration date and for good cause, grant a one-time extension not to exceed 12 months. The review authority shall ensure that the project complies with all current Development Code provisions.
3. In the event that this approval is legally challenged, the City will promptly notify the applicant of any claim or action and will cooperate fully in the defense of the matter. Once notified, the applicant agrees to defend, indemnify, and hold harmless the City, Redevelopment Agency (RDA), their affiliates officers, agents and employees from any claim, action or proceeding against the City of Loma Linda. The applicant further agrees to reimburse the City and RDA of any costs and attorneys fees, which the City or RDA may be required by a court to pay as a result of such action, but such participation shall not relieve applicant of his or her obligation under this condition.
4. Construction shall be in substantial conformance with the plan(s) approved by the Planning Commission. Minor modification to the plan(s) shall be subject to approval by the Director through a minor administrative variation process. Any modification that exceeds 10% of the following allowable measurable design/site considerations shall require the refilling of the original application and a subsequent hearing by the appropriate hearing review authority if applicable:
 - a. On-site circulation and parking, loading and landscaping;

- b. Placement and/or height of walls, fences and structures;
 - c. Reconfiguration of architectural features, including colors, and/or modification of finished materials that do not alter or compromise the previously approved theme; and,
 - d. A reduction in density or intensity of a development project.
5. No vacant, relocated, altered, repaired or hereafter erected structure shall be occupied or no change of use of land or structure(s) shall be inaugurated, or no new business commenced as authorized by this permit until a Certificate of Occupancy has been issued by the Building Division. A Temporary Certificate of Occupancy may be issued by the Building Division subject to the conditions imposed on the use, provided that a deposit is filed with the Community Development Department prior to the issuance of the Certificate, if necessary. The deposit or security shall guarantee the faithful performance and completion of all terms, conditions and performance standards imposed on the intended use by this permit.
6. This permit or approval is subject to all the applicable provisions of the Loma Linda Municipal Code, Title 17 in effect at the time of approval, and includes development standards and requirements relating to: dust and dirt control during construction and grading activities; emission control of fumes, vapors, gases and other forms of air pollution; glare control; exterior lighting design and control; noise control; odor control; screening; signs, off-street parking and off-street loading; and, vibration control. Screening and sign regulations compliance are important considerations to the developer because they will delay the issuance of a Certificate of Occupancy until compliance is met. Any exterior structural equipment, or utility transformers, boxes, ducts or meter cabinets shall be architecturally screened by wall or structural element, blending with the building design and include landscaping when on the ground.
7. The applicant shall provide infrastructure for the Loma Linda Connected Community Program, which includes providing a technologically enabled development that includes coaxial, cable, and fiber optic lines to all outlets in each unit of the development (including custom single-family residences). Plans for the location of the infrastructure shall be provided with the precise grading plans and reviewed and approved by the City of Loma Linda prior to issuing grading permits. Please contact Elliot Peterson, Information Systems Supervisor at 909-799-2897 for further information.
8. Signs are not approved as a part of this permit. Prior to establishing any new signs, the applicant shall submit an application, and receive approval, for a sign permit from the Planning Division (pursuant to LLMC, Chapter 17.18) and building permit for construction of the signs from the Building Division, as applicable.

9. A Final Phasing Plan shall be submitted to the Community Development Department for review and approval prior to issuance of any Building or Construction Permits.
10. The applicant shall comply with all of the Public Works Department requirements for recycling prior to issuance of a Certificate of Occupancy.
11. During construction of the site, the project shall comply with Section 9.20 (Prohibited Noises) of the Loma Linda Municipal Code and due to the sensitive receptors on-site and in the surrounding neighborhoods, construction activities shall be further restricted to cease between the hours of 6:00 p.m. to 7:00 a.m.
12. The applicant shall implement SCAQMD Rule 403 and standard construction practices during all operations capable of generating fugitive dust, which will include but not be limited to the use of best available control measures and reasonably available control measures such as:
 - a. Water active grading areas and staging areas at least twice daily as needed;
 - b. Ensure spray bars on all processing equipment are in good operating condition;
 - c. Apply water or soil stabilizers to form crust on inactive construction areas and unpaved work areas;
 - d. Suspend grading activities when wind gusts exceed 25 mph;
 - e. Sweep public paved roads if visible soil material is carried off-site;
 - f. Enforce on-site speed limits on unpaved surface to 15 mph; and
 - g. Discontinue construction activities during Stage 1 smog episodes.
13. The applicant shall implement the following construction practices during all construction activities to reduce NO_x emission as stipulated in the project Initial Study and identified as mitigation measures:
 - a. During on-site construction, the contractor shall use a lean-NO_x catalyst to reduce emissions from off-road equipment diesel exhaust.
 - b. The contractor shall use coating and solvents with a volatile organic compound (VOC) content lower than required under Rule 1113.
 - c. The developer/contractor shall use building materials that do not require painting.
 - d. The developer/contractor shall use pre-painted construction materials where feasible.
14. The applicant shall ensure that exterior and interior paints and coatings are not sprayed onto wall or other surfaces, but rather applied with a brush or roller to reduce ROG emissions. As an alternative, the applicant may use exterior construction materials that have been pretreated or coated by the manufacturer.
15. The applicant shall work with Waste Management to follow a debris management plan to divert the material from landfills by the use of separate recycling bins

(e.g., wood, concrete, steel, aggregate, glass) during demolition and construction to minimize waste and promote recycle and reuse of the materials. Waste containers cannot be washed out on-site.

16. All equipment and vehicles to be serviced off-site.
17. The City of Loma Linda shall periodically review traffic operations in the vicinity of the project once the project is constructed to assure that the traffic operations are satisfactory.
18. Sight distances at the project access points shall be reviewed with respect to Caltrans/Loma Linda standards in conjunction with the preparation of final grading, landscape, and street improvement plans.
19. On-site traffic signing and striping shall be implemented in conjunction with detailed construction plans for the project.
20. The applicant shall participate in the phased construction of off-site traffic signals through payment of traffic signal mitigation fees. The traffic signals within the study area at build-out should specifically include an interconnect of the traffic signals to function in a coordinated system.
21. All construction shall meet the requirements of the 2001 California Building Code (CBC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of any Building Permit(s).
22. All Development Impact fees shall be paid to the City of Loma Linda prior to the issuance of any Building and/or Construction Permits.
23. Prior to issuance of any Building and/or Construction Permits, the applicant shall submit to the Community Development Department proof of payment or waiver from both the City of San Bernardino for sewer capacity fees and Redlands Unified School District for school impact fees.
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27. The developer/contractor shall use building materials that do not require painting where feasible.

28. The developer/contractor shall use pre-painted construction materials where feasible.
29. Prior to grading, a field survey to determine the potential for significant nonrenewable paleontologic resources shall be conducted on-site by a qualified vertebrate paleontologist. The professional will be able to find, determine the significance, and make recommendations for appropriate mitigation measures in compliance with the guidelines of the California Environmental Quality Act and/or the Federal National Environmental Policy Act.
30. In the event that human remains are encountered during grading, all provisions of state law requiring notification of the County Coroner, contacting the Native American Heritage Commission, and consultation with the most likely descendant, shall be followed.
31. Prior to issuance of grading permits, a site-specific geotechnical study shall be performed to determine the liquefaction potential at the site. Recommendations within the report shall be made conditions of approval.
32. A qualified archeologist shall be present during site grading to monitor for the potential occurrence of unrecorded archeological materials of Native American and Euro-American origin.
33. At a minimum of 30 days prior to grading, the City shall notify the tribal councils of the San Manuel and Morongo Bands of proposed grading activities, and arrange for Native American participation if requested by the tribal councils.
34. The proposed Zanja Trail should be at least 15-20 feet wide and should not disturb areas at depths more than four feet below the current ground surface. Since the centerline of the Zanja generally runs along the northern property line, the portion of the Zanja corridor that would be constructed on the project site shall be 10 feet wide and shall be landscaped using native Californian tree and plant species.
35. The floor area of the buildings shall incorporate historical information (i.e., pictures, murals, artifacts) for cultural groups and historical periods represented in the project area into the design of displays and other interpretive material.
36. Any environmental records or other supporting documents that detail the participation of other lead or responsible agencies or lack thereof must be submitted to the City and authenticated prior to the approval of the project.
37. Relocate all trash enclosures and recycling bins to a common area along the eastern wall.

38. Eliminate the driveway around building #4 and landscape the area to further enhance the surrounding Zanja Trail area. No Fire Lane is required.
39. In lieu of the affordable housing requirement, the project is subject to an approved Development Agreement between the applicant and the City of Loma Linda Redevelopment Agency. No construction or building permits shall be issued pending the approval of the Development Agreement.

OFF-SITE ALCOHOL SALES

40. Every year from the date of approval of this Conditional Use Permit, the Planning Division shall bring a status report to the Planning Commission identifying impacts or failure to comply with conditions resulting from the CUP approval. Such status report shall contain a police report regarding calls for service at the location during the prior one-year period. Nothing herein shall modify or limit the City's authority to regulate the business or modify or revoke the permit upon the City's determination that the business is being operated in a manner adverse to the public's health, safety, and welfare.
41. Litter shall be removed daily from the premises, including adjacent public sidewalks and all parking areas under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis to control debris.
42. The property owner shall maintain the trash enclosure and keep the trash bins inside the enclosure.
43. Graffiti shall be removed from the premises and all parking lots under the control of the licensee within 48 hours of notification. The color of the paint used to cover the graffiti shall be of a similar color to the building surface.
44. Signs shall comply with the City of Loma Linda sign requirements including the repair of any holes or damages to the building resulting from prior sign removal. No more than 25% of the total window area and clear doors shall bear advertising or signs of any sort. Window signs shall be replaced and maintained in a manner so that there is a clear and unobstructed view of the interior of the premises from the public sidewalk or entrance to the premises.
45. The exterior of the premises, including adjacent public sidewalks and all parking lots under the control of the licensee, shall be illuminated, during the hours of darkness the establishment is open, at a minimum of two-foot candles of light.
46. All premises shall comply with City False Alarm Ordinances and payment of fines shall be current. Excessive false alarms will require replacement of alarm system prior to extension of any conditional use permit.

47. The operation of the business shall not violate any federal, state, or local laws or ordinances, including the rules, regulations and orders of the State Alcoholic Beverage Control Department. Failure to comply with these requirements shall constitute grounds for revocation of a conditional use permit.
48. The approved set of Conditions of Approval shall be posted at all times at a visible location in the facility and shall remain legible at all times.
49. The licensee shall attend a LEAD (Licensee Education on Alcoholic and Drugs) training session sponsored by the Department of Alcoholic Beverage Control.
50. There shall be no deliveries from or to the premises before 7:00 a.m. and after 10:00 p.m., during any day of the week.
51. Hours of operation shall be permitted 7:00 A.M. to 11:00 P.M. seven (7) days a week.
52. The rear door shall be kept closed at all times during the operation of the premises except in case of emergency or to permit deliveries. Panic hardware on doors shall comply with all City and Fire Agency code requirement.
53. Lighting in the parking area under the control of the licensee, shall be directed, positioned, or shielded in such a manner so as not to shine directly into or unreasonably illuminate the window area of nearby residences.
54. In the event the Police Department determines that security problems occur, the applicant, at their own expense, shall provide a California licensed, uniform security guard(s) on the premises during such hours as requested and directed by the Police Department.
55. Adult merchandise (books, magazines, videos and CDS) shall be kept under the control of the management behind the cashier's counter and must be segregated and screened from view of minors. Tobacco products shall be kept under the control of the management and behind the cashier's counter.
56. A prominent, permanent sign or signs stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The size, format, form, placement, and languages of the sign or signs shall be determined by the Department of Alcoholic Beverage Control.
57. A prominent, permanent sign or signs stating "NO OPEN ALCOHOLIC BEVERAGE CONTAINERS ARE ALLOWED ON THE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The size, format, form, placement, and languages of the sign or signs shall be determined by the Department of Alcoholic Beverage Control.

58. Employees engaged in the sale or distribution of alcoholic beverages shall be at least 21 years old, or at least one salesperson 21 years old or older must be on the premises during all times when alcoholic beverages are sold.
59. Electronic arcade and amusement games shall be prohibited.
60. Alcoholic beverages will not be served inside the premises.
61. The sale of individual cans and/or individual bottles of beer is prohibited.
62. The applicant shall be required to prevent loitering in front of the site.
63. The applicant shall insure that no persons drink alcoholic beverages in front of the site.
64. All provisions of the State Alcoholic Beverage Control (ABC) for the sale of off-site beer and wine in conjunction with service stations shall be occupied with, including, but not limited to, the following:
 - a. No beer or wine shall be displayed within five feet of the cash register or in the front door unless it is in a permanently affixed cooler.
 - b. No advertisement of alcoholic beverages shall be displayed at motor fuel islands.
 - c. No sale of alcoholic beverages shall be made from a drive-in window.
 - d. No display or sale of beer or wine shall be made from an ice tub.
 - e. No self-illuminated advertising for beer or wine shall be located on buildings or windows.

LANDSCAPING

65. The applicant shall submit three sets of the final landscape plan prepared by a state licensed Landscape Architect, subject to approval by the Community Development Department, and by the Public Works Department for landscaping in the public right-of-way. Landscape plans for the Landscape Maintenance District shall be on separate plans.
66. Final landscape and irrigation plans shall be in substantial conformance with the approved conceptual landscape plan and these conditions of approval. Any and all fencing shall be illustrated on the final landscape plan.
67. Landscape plans shall depict the utility laterals, concrete improvements, and tree locations. Any modifications to the landscape plans shall be reviewed and approved by the Public Works and Community Development Departments prior to issuance of permits.

68. The applicant, property owner, and/or business operator shall maintain the property and landscaping in a clean and orderly manner and all dead and dying plants shall be replaced with similar or equivalent type and size of vegetation.
69. Prior to construction, a certified Arborist shall evaluate all on-site trees and prepare a report that includes recommendations for relocation or replacement of all healthy trees.
70. The applicant shall provide appropriate, historical landscaping along the northern property line as a dedication to Zanja Trail. Provide signage or a marker to address the historic significance of the Zanja Trail.

FIRE DEPARTMENT

71. All construction shall meet the requirements of the editions of the California Building Code (CBC) and the Uniform Fire Code (UFC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of building permit.
72. Pursuant to UFC Section 901.4.4, as amended in Loma Linda Municipal Code (LLMC) Section 15.28.150, building address numerals shall be a minimum of eight (8) inches, affixed to the building so as to be visible from the street, and electrically illuminated during the hours of darkness.
73. Pursuant to UBC Section 904.2.2, as amended in Loma Linda Municipal Code (LLMC) Section 15.08.220, and UFC Section 1003.2.2.3, as amended in LLMC Section 15.28.250, all new buildings and additions shall be equipped with automatic fire sprinkler systems meeting the requirements of UBC Standard No. 9-1 (NFPA 13). Systems shall be supplied by the existing on-site water system. Pursuant to UFC Section 1001.3, plans and specifications for the fire sprinkler system shall be submitted to Fire Prevention for review and approval prior to installation.
74. Fire Department Impact Fees shall be assessed according to the rate legally in effect at the time of building permit issuance. Pursuant to LLMC Chapter 3.28, plan check and inspection fees shall be collected at the rates established by the City manager's Executive Order.
75. The applicant shall submit a Utility Improvement Plan showing the location of fire hydrants for review and approval by the Fire Department.

PUBLIC WORKS DEPARTMENT

76. The developer shall submit an engineered grading plan for proposed project.
77. All utilities shall be underground. The City of Loma Linda shall be the water and sewer purveyor.

78. All public improvement plans shall be submitted to the Public Works Department for review and approval.
79. Any damage to existing improvements as a result of this project shall be repaired by the applicant to the satisfaction of the City Engineer.
80. Prior to issuance of grading permits, the applicant shall submit to the City Engineer a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Dischargers Identification Number) shall be submitted to the City Engineer for coverage under the NPDES General Construction Permit.
81. The developer shall submit a Utility Improvement Plan showing the location of fire hydrants for review and approval by the Public Safety Department.
82. Per the City of Loma Linda recycling policy, the project proponent shall incorporate interior and exterior storage areas for recyclables.
83. The project proponent shall comply with City adopted policies regarding the reduction of construction and demolition (C&D) materials.

End of Conditions

Attachment B.5

**Applicant's Appeal Letter
(May 12, 2006)**

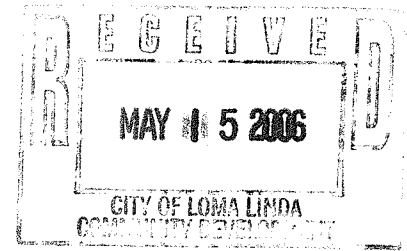


fiedlergroup

Architecture • Engineering • Planning • Project Management

AGC-10675
May 12, 2006

City of Loma Linda
Community Development Department
25541 Barton Road
Loma Linda, Ca. 92354
Attn: Mr. Allen Penaflorida
909/799-2830



**Subject: Arco / Retail Development
26522 East Barton Road
Loma Linda, CA. 92354**

**Re: Appeal to Planning Commission
Hearing April 5, 2006**

Dear Mr. Penaflorida,

Per the planning commission hearing on April 5, 2006, we respectfully appeal the commission's decision not to amend Loma Linda municipal code section 17.46.30 (E), Conditional Uses to include provisions to allow off-site sale of beer and wine in a convenience store without the restriction of a minimum floor area in the Commercial General (C-2) zone.

As such, we feel the following facts support our appeal:

- 1.) We are transferring an existing beer and wine license from a previous Arco site to the new subject site. We realize it was our error (during presentation) that this fact was not brought forward to the planning commission prior to vote. We feel the disclosure of this fact may have resulted in a favorable vote verse the actual 2 for approval and 3 for disapproval.
- 2.) The total project size (29,597 square feet) of all proposed structures within the new construction site is close to the minimum square footage required by the municipal code of 30,000 square feet. It should be noted that we are seeking only one permitted license for the entire development.
- 3.) During the hearing, we recommended to the planning commission that a one mile radius restriction be adopted for any future off-site beer and wine sales.
- 4.) Staff report generated by the community development department states recommendation for amendment to code be approved and forwarded with recommendation to adopt Loma Linda municipal code section 17.46.30 (E).

- 5.) Per ordinance 17.46.30 (E) 3. (a), beer and wine or alcoholic beverages...
"sales must be offered only in conjunction with secondary retail sale of food, groceries and sundries in which not less than 50 percent by value of the retail sales of all products, other than gas and other motor vehicle fuels, comprises sales of products other than beer, wine or other alcoholic beverages". BP and franchisee are voluntarily willing to reduce the amount of sales from beer and wine to 25% vs. the 50% as stated in above ordinance.
- 6.) A typical am/pm convenience store allows beer and wine sales between the hours of 6:00 a.m. and 2:00 a.m. – 7days a week. However, the planning commissions recommendation of restricting beer and wine sales to Monday through Friday; 11:00 a.m. – 11:00 p.m. will cause undue hardship to the franchisee and place him at an uncompetitive advantage. We are hereby requesting a compromise where beer and wine will be allowed 7 days a week between the hours of 7:00 a.m. and 11:00 p.m.

Lastly, this amendment is a critical component of our project and is a key driver in the economic viability of the entire 3.6 acre development. Denial of said amendment greatly reduces required rates of return needed to bring entire project to fruition.

We respectfully request the adoption of amendment and appreciate your time and consideration.

Should you have any questions or concerns, please feel free to contact me or any other members of our team direct.

Sincerely,



Alex G. Cuevas
Vice President of Design & Marketing

AGC / TC

Cc: Mr. Ed Haddad (Franchisee) Ph# 909/754.8038

Mr. Tony Corbo (BP Area Development Manager) Ph# 949/364-4369

Mr. Marty Martinez (BP Zoning and Development Manager) Ph# 714/315.2964

Attachment C

Conditions of Approval (Revised)

CONDITIONS OF APPROVAL
Development Code Amendment (DCA) No. 06-01 and Conditional Use Permit
(CUP) No. 05-06
April 5, 2006

COMMUNITY DEVELOPMENT DEPARTMENT

General

1. Within one year of this approval, the Conditional Use Permit shall be exercised by substantial construction or the permit/approval shall become null and void. In addition, if after commencement of construction, work is discontinued for a period of one year, the permit/approval shall become null and void.

PROJECT:

Development Code
Amendment (DCA) No. 06-01

EXPIRATION DATE:

April 5, 2007 (*or one year from
City Council approval date*)

Conditional Use Permit (CUP) No. 05-06

April 5, 2007 (*or one year from
City Council approval date*)

2. The review authority may, upon application being filed 30 days prior to the expiration date and for good cause, grant a one-time extension not to exceed 12 months. The review authority shall ensure that the project complies with all current Development Code provisions.
3. In the event that this approval is legally challenged, the City will promptly notify the applicant of any claim or action and will cooperate fully in the defense of the matter. Once notified, the applicant agrees to defend, indemnify, and hold harmless the City, Redevelopment Agency (RDA), their affiliates officers, agents and employees from any claim, action or proceeding against the City of Loma Linda. The applicant further agrees to reimburse the City and RDA of any costs and attorneys fees, which the City or RDA may be required by a court to pay as a result of such action, but such participation shall not relieve applicant of his or her obligation under this condition.
4. Construction shall be in substantial conformance with the plan(s) approved by the Planning Commission. Minor modification to the plan(s) shall be subject to approval by the Director through a minor administrative variation process. Any modification that exceeds 10% of the following allowable measurable design/site considerations shall require the refilling of the original application and a subsequent hearing by the appropriate hearing review authority if applicable:
 - a. On-site circulation and parking, loading and landscaping;

- b. Placement and/or height of walls, fences and structures;
 - c. Reconfiguration of architectural features, including colors, and/or modification of finished materials that do not alter or compromise the previously approved theme; and,
 - d. A reduction in density or intensity of a development project.
5. No vacant, relocated, altered, repaired or hereafter erected structure shall be occupied or no change of use of land or structure(s) shall be inaugurated, or no new business commenced as authorized by this permit until a Certificate of Occupancy has been issued by the Building Division. A Temporary Certificate of Occupancy may be issued by the Building Division subject to the conditions imposed on the use, provided that a deposit is filed with the Community Development Department prior to the issuance of the Certificate, if necessary. The deposit or security shall guarantee the faithful performance and completion of all terms, conditions and performance standards imposed on the intended use by this permit.
6. This permit or approval is subject to all the applicable provisions of the Loma Linda Municipal Code, Title 17 in effect at the time of approval, and includes development standards and requirements relating to: dust and dirt control during construction and grading activities; emission control of fumes, vapors, gases and other forms of air pollution; glare control; exterior lighting design and control; noise control; odor control; screening; signs, off-street parking and off-street loading; and, vibration control. Screening and sign regulations compliance are important considerations to the developer because they will delay the issuance of a Certificate of Occupancy until compliance is met. Any exterior structural equipment, or utility transformers, boxes, ducts or meter cabinets shall be architecturally screened by wall or structural element, blending with the building design and include landscaping when on the ground.
7. The applicant shall provide infrastructure for the Loma Linda Connected Community Program, which includes providing a technologically enabled development that includes coaxial, cable, and fiber optic lines to all outlets in each unit of the development (including custom single-family residences). Plans for the location of the infrastructure shall be provided with the precise grading plans and reviewed and approved by the City of Loma Linda prior to issuing grading permits. Please contact Elliot Peterson, Information Systems Supervisor at 909-799-2897 for further information.
8. Signs are not approved as a part of this permit. Prior to establishing any new signs, the applicant shall submit an application, and receive approval, for a sign permit from the Planning Division (pursuant to LLMC, Chapter 17.18) and building permit for construction of the signs from the Building Division, as applicable.

9. A Final Phasing Plan shall be submitted to the Community Development Department for review and approval prior to issuance of any Building or Construction Permits.
10. The applicant shall comply with all of the Public Works Department requirements for recycling prior to issuance of a Certificate of Occupancy.
11. During construction of the site, the project shall comply with Section 9.20 (Prohibited Noises) of the Loma Linda Municipal Code and due to the sensitive receptors on-site and in the surrounding neighborhoods, construction activities shall be further restricted to cease between the hours of 6:00 p.m. to 7:00 a.m.
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 - a. Water active grading areas and staging areas at least twice daily as needed;
 - b. Ensure spray bars on all processing equipment are in good operating condition;
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29. Prior to grading, a field survey to determine the potential for significant nonrenewable paleontologic resources shall be conducted on-site by a qualified vertebrate paleontologist. The professional will be able to find, determine the significance, and make recommendations for appropriate mitigation measures in compliance with the guidelines of the California Environmental Quality Act and/or the Federal National Environmental Policy Act.
30. In the event that human remains are encountered during grading, all provisions of state law requiring notification of the County Coroner, contacting the Native American Heritage Commission, and consultation with the most likely descendant, shall be followed.
31. Prior to issuance of grading permits, a site-specific geotechnical study shall be performed to determine the liquefaction potential at the site. Recommendations within the report shall be made conditions of approval.
32. A qualified archeologist shall be present during site grading to monitor for the potential occurrence of unrecorded archeological materials of Native American and Euro-American origin.
33. At a minimum of 30 days prior to grading, the City shall notify the tribal councils of the San Manuel and Morongo Bands of proposed grading activities, and arrange for Native American participation if requested by the tribal councils.
34. The proposed Zanja Trail area is 15-20 feet wide. Since the centerline of the Zanja generally runs along the northern property line, the portion of the Zanja corridor that would be constructed on the project site shall be 10 feet wide and shall be landscaped using native Californian tree and plant species. The Zanja Trail shall utilize decomposed granite (DG) and shall be consistent with the other developed portions of the designated trail.
35. The floor area of the buildings shall incorporate historical information (i.e., pictures, murals, artifacts) for cultural groups and historical periods represented in the project area into the design of displays and other interpretive material.
36. Any environmental records or other supporting documents that detail the participation of other lead or responsible agencies or lack thereof must be submitted to the City and authenticated prior to the approval of the project.
37. Relocate all trash enclosures and recycling bins to a common area along the eastern wall.

38. Eliminate the driveway around building #1 and landscape the area to further enhance the surrounding Zanja Trail area. No Fire Lane is required. Also eliminate proposed block wall on the northern and eastern perimeter of the site.

OFF-SITE ALCOHOL SALES

39. Every year from the date of approval of this Conditional Use Permit, the Planning Division shall bring a status report to the Planning Commission identifying impacts or failure to comply with conditions resulting from the CUP approval. Such status report shall contain a police report regarding calls for service at the location during the prior one-year period. Nothing herein shall modify or limit the City's authority to regulate the business or modify or revoke the permit upon the City's determination that the business is being operated in a manner adverse to the public's health, safety, and welfare.
40. Litter shall be removed daily from the premises, including adjacent public sidewalks and all parking areas under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis to control debris.
41. The property owner shall maintain the trash enclosure and keep the trash bins inside the enclosure.
42. Graffiti shall be removed from the premises and all parking lots under the control of the licensee within 48 hours of notification. The color of the paint used to cover the graffiti shall be of a similar color to the building surface.
43. Signs shall comply with the City of Loma Linda sign requirements including the repair of any holes or damages to the building resulting from prior sign removal. No more than 25% of the total window area and clear doors shall bear advertising or signs of any sort. Window signs shall be replaced and maintained in a manner so that there is a clear and unobstructed view of the interior of the premises from the public sidewalk or entrance to the premises.
44. The exterior of the premises, including adjacent public sidewalks and all parking lots under the control of the licensee, shall be illuminated, during the hours of darkness the establishment is open, at a minimum of two-foot candles of light.
45. All premises shall comply with City False Alarm Ordinances and payment of fines shall be current. Excessive false alarms will require replacement of alarm system prior to extension of any conditional use permit.
46. The operation of the business shall not violate any federal, state, or local laws or ordinances, including the rules, regulations and orders of the State Alcoholic Beverage Control Department. Failure to comply with these requirements shall

constitute grounds for revocation of a conditional use permit. No alcohol sales are permitted unless the City Council approves the Development Code Amendment.

47. The approved set of Conditions of Approval shall be posted at all times at a visible location in the facility and shall remain legible at all times.
48. The licensee shall attend a LEAD (Licensee Education on Alcoholic and Drugs) training session sponsored by the Department of Alcoholic Beverage Control.
49. There shall be no deliveries from or to the premises before 7:00 a.m. and after 10:00 p.m., during any day of the week.
50. Hours of alcohol sales shall be permitted 11:00 A.M. to 11:00 P.M. five (5) days a week, Monday to Friday.
51. The side emergency door for building # 4 shall be kept closed at all times during the operation of the premises except in case of emergency or to permit deliveries. Panic hardware on doors shall comply with all City and Fire Agency code requirement.
52. Lighting in the parking area under the control of the licensee, shall be directed, positioned, or shielded in such a manner so as not to shine directly into or unreasonably illuminate the window area of nearby residences.
53. In the event the Police Department determines that security problems occur, the applicant, at their own expense, shall provide a California licensed, uniform security guard(s) on the premises during such hours as requested and directed by the Police Department.
54. Adult merchandise (books, magazines, videos and CDS) shall be kept under the control of the management behind the cashier's counter and must be segregated and screened from view of minors. Tobacco products shall be kept under the control of the management and behind the cashier's counter.
55. A prominent, permanent sign or signs stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The size, format, form, placement, and languages of the sign or signs shall be determined by the Department of Alcoholic Beverage Control.
56. A prominent, permanent sign or signs stating "NO OPEN ALCOHOLIC BEVERAGE CONTAINERS ARE ALLOWED ON THE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The size, format, form, placement, and languages of the sign or signs shall be determined by the Department of Alcoholic Beverage Control.

57. Employees engaged in the sale or distribution of alcoholic beverages shall be at least 21 years old, or at least one salesperson 21 years old or older must be on the premises during all times when alcoholic beverages are sold.
58. Electronic arcade and amusement games shall be prohibited.
59. Alcoholic beverages will not be served inside the premises.
60. The sale of individual cans and/or individual bottles of beer is prohibited.
61. The applicant shall be required to prevent loitering in front of the site.
62. The applicant shall insure that no persons drink alcoholic beverages in front of the site.
63. All provisions of the State Alcoholic Beverage Control (ABC) for the sale of off-site beer and wine in conjunction with service stations shall be complied with, including, but not limited to, the following:
 - a. No beer or wine shall be displayed within five feet of the cash register or in the front door unless it is in a permanently affixed cooler.
 - b. No advertisement of alcoholic beverages shall be displayed at motor fuel islands.
 - c. No sale of alcoholic beverages shall be made from a drive-in window.
 - d. No display or sale of beer or wine shall be made from an ice tub.
 - e. No self-illuminated advertising for beer or wine shall be located on buildings or windows.

LANDSCAPING

64. The applicant shall submit three sets of the final landscape plan prepared by a state licensed Landscape Architect, subject to approval by the Community Development Department, and by the Public Works Department for landscaping in the public right-of-way. Landscape plans for the Landscape Maintenance District shall be on separate plans.
65. Final landscape and irrigation plans shall be in substantial conformance with the approved conceptual landscape plan and these conditions of approval. Any and all fencing shall be illustrated on the final landscape plan.
66. Landscape plans shall depict the utility laterals, concrete improvements, and tree locations. Any modifications to the landscape plans shall be reviewed and approved by the Public Works and Community Development Departments prior to issuance of permits.

67. The applicant, property owner, and/or business operator shall maintain the property and landscaping in a clean and orderly manner and all dead and dying plants shall be replaced with similar or equivalent type and size of vegetation.
68. Prior to construction, a certified Arborist shall evaluate all on-site trees and prepare a report that includes recommendations for relocation or replacement of all healthy trees.
69. The applicant shall provide appropriate, historical landscaping along the northern property line as a dedication to Zanja Trail. Provide signage or a marker to address the historic significance of the Zanja Trail.

FIRE DEPARTMENT

70. All construction shall meet the requirements of the editions of the California Building Code (CBC) and the Uniform Fire Code (UFC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of building permit.
71. Pursuant to UFC Section 901.4.4, as amended in Loma Linda Municipal Code (LLMC) Section 15.28.150, building address numerals shall be a minimum of eight (8) inches, affixed to the building so as to be visible from the street, and electrically illuminated during the hours of darkness.
72. Pursuant to UBC Section 904.2.2, as amended in Loma Linda Municipal Code (LLMC) Section 15.08.220, and UFC Section 1003.2.2.3, as amended in LLMC Section 15.28.250, all new buildings and additions shall be equipped with automatic fire sprinkler systems meeting the requirements of UBC Standard No. 9-1 (NFPA 13). Systems shall be supplied by the existing on-site water system. Pursuant to UFC Section 1001.3, plans and specifications for the fire sprinkler system shall be submitted to Fire Prevention for review and approval prior to installation.
73. Fire Department Impact Fees shall be assessed according to the rate legally in effect at the time of building permit issuance. Pursuant to LLMC Chapter 3.28, plan check and inspection fees shall be collected at the rates established by the City manager's Executive Order.
74. The applicant shall submit a Utility Improvement Plan showing the location of fire hydrants for review and approval by the Fire Department.

PUBLIC WORKS DEPARTMENT

75. The developer shall submit an engineered grading plan for proposed project.
76. All utilities shall be underground. The City of Loma Linda shall be the water and sewer purveyor.

77. All public improvement plans shall be submitted to the Public Works Department for review and approval.
78. Any damage to existing improvements as a result of this project shall be repaired by the applicant to the satisfaction of the City Engineer.
79. Prior to issuance of grading permits, the applicant shall submit to the City Engineer a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Dischargers Identification Number) shall be submitted to the City Engineer for coverage under the NPDES General Construction Permit.
80. The developer shall submit a Utility Improvement Plan showing the location of fire hydrants for review and approval by the Public Safety Department.
81. Per the City of Loma Linda recycling policy, the project proponent shall incorporate interior and exterior storage areas for recyclables.
82. The project proponent shall comply with City adopted policies regarding the reduction of construction and demolition (C&D) materials.
83. A final parcel map of lot line adjustment per the Subdivision Map Act shall be recorded prior to the issuance of building permits.
84. The applicant shall record a reciprocal access easement with the property to the east (APN: 0292-162-22)

End of Conditions